



W.P.(MD) No.15404 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 06.08.2025

Pronounced On : 11.09.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.15404 of 2017

N.Kamaraj,
S/o S.T.Navamani,
66, Santhaiyadi Street,
Udankudi,
Thoothukudi District.

... Petitioner

Vs.

1.The Government Secretary
Co-operative Food and Consumer Protection
Department, Chennai-9.

2.The Registrar of Co-operative Societies,
Chennai-10.

3.The Registrar of Co-operative Societies
(Housing), Chennai-35.

4.The Joint Registrar,
Thoothukudi Region,
Thoothukudi.

... Respondents

PRAYER:

To issue a writ of Certiorari oⁿ direction in the nature of a writ calling for the records relating to the proceedings of the Impugned Government Order in GO.(Ms.) No.117 dated 30.09.2016 on the file of the 1st respondent and quash the same and pass such further or other



W.P.(MD) No.15404 of 2017

orders as this Hon'ble Court may deem fit proper in the said circumstances of this and thus render justice.

APPEARANCE OF PARTIES:

For Petitioner : Mr.K.Vinoharan, Advocate
for Mr.G.Prabhu Rajadurai, Advocate

For Respondents : Mr.V.Om Prakash,
Government Advocate

J U D G M E N T

Heard.

2. The petitioner, after retiring from the post of Co-operative Sub-Registrar, has filed the present writ petition challenging the order of the 1st Respondent Government issued in G.O.(Ms) No.117, Co-operative and Consumer Protection Department, dated 30.09.2016. By this order, the Government rejected the petitioner's revision petition and upheld the decision of the Registrar of Co-operative Societies, which imposed on the petitioner the penalty of postponement of increment for three months without cumulative effect.



W.P.(MD) No.15404 of 2017

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3. When the matter was taken up on 17.08.2017, notice was accepted by the learned Additional Government Pleader. Pursuant to such notice, a counter affidavit was first filed by the 4th Respondent (dated Nil), followed by a counter affidavit from the 1st and 2nd Respondents (dated Nil). Subsequently, the petitioner filed an additional affidavit dated 31.07.2021, stating that in response to his RTI query, he received a reply that the competent authority to initiate disciplinary proceedings in respect of housing societies is the Joint Registrar, Kanyakumari, and that the 4th Respondent has no jurisdiction in this regard.

4. The latest contention of the petition is immediately addressed here and now. As already noted, the petitioner filed a revision petition before the Government on 20.01.2014. In the said revision petition which runs to nearly ten pages, at no point did the petitioner raise any issue regarding the jurisdiction of the competent authority. On the contrary, the petitioner had earlier filed W.P.(MD) No.5216 of 2016 before this Court, seeking a direction to the Government to dispose of his revision petition within a stipulated time. By order dated 16.03.2016, this Court directed the Government to dispose of the revision within six weeks from the date of receipt of the order. It was within this time frame that the Government



W.P.(MD) No.15404 of 2017

passed the order now under challenge in the present writ petition. Having invited this Court to direct the Government to dispose of his revision, and having failed to raise any jurisdictional objection in that revision petition, it is not open to the petitioner to raise such an issue belatedly, that too by way of an additional affidavit at the final stage of the proceedings.

5. The order passed by the Government confirming the decision of the competent authority is a reasoned and speaking order. In the counter affidavit filed separately by the Government, the circumstances leading to the confirmation of the minor penalty have been clearly set out, particularly in light of the serious allegations levelled against the petitioner. Therefore, the writ petition is devoid of merits and stands dismissed. No order as to costs.

11.09.2025

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No

LS/ay



W.P.(MD) No.15404 of 2017

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Copy to:

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W.P.(MD) No.15404 of 2017

DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
W.P. (MD) No.15404 of 2017

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