

W.P.(MD) No.6575 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 29.07.2025

Pronounced On : 19.08.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.6575 of 2017

and

W.M.P.(MD)No.5161 of 2017

J.Natarajan,
S/o PJagannathan,
41, Pudhu Nagar, Kuttalam,
Nagapattinam District.

... Petitioner

Vs.

1 .The Registrar of Cooperative Societies,
Kilpauk, Chennai-10.

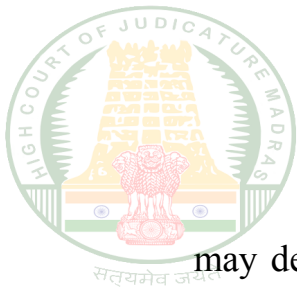
2. The Joint Registrar of Cooperative Societies
Thanjavur-4.

3. The Managing Director
The Central Cooperative Bank Ltd
Kumbakonam
Thanjavur District.

... Respondents

PRAYER in W.P.:

To issue a Writ or Order Direction or in the nature of Writ of Certiorarified Mandamus calling for the records relating to the Order passed by the second respondent in Na.ka.No.982/2011 dated 29.07.2011 and quash the same and consequently direct the second respondent to promote the petitioner as General Manager and other orders as the court



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may deem fit and proper in the nature and circumstances of the case and thus render justice.

PRAYER in WMP:

To dispense with the production of the original impugned order passed by the 2nd respondent in Na.Ka.No.982/2011/AI dated 29.07.2011 and thus render justice.

APPEARANCE OF PARTIES:

For Petitioner : Mr.G.M.Xavier, Advocate

For Respondents : Mr.J.Ashok,
Additional Government Pleader for R1&2

: Mr.D.Shanmuga Raja Sethupathy,
Advocate for R3

J U D G M E N T

Heard.

2. The petitioner has assailed the order dated 29.07.2011 passed by the 2nd respondent, the Joint Registrar of Cooperative Societies, whereby he was demoted from the post of General Manager to Assistant General Manager, and a recovery of Rs.95,384/- was ordered towards loss of interest.



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3. Against the aforesaid order, the petitioner preferred a revision under Section 153 of the Tamil Nadu Cooperative Societies Act. By order dated 07.08.2012, the revisional authority set aside the recovery but upheld the order of demotion. The petitioner thereafter filed a second revision before the Government, which came to be rejected by G.O.Ms.No.77, Cooperation Department, dated 10.06.2015. In the meantime, the petitioner retired from service on 26.06.2013 and was extended all superannuation benefits.

4. It is not made clear as to how the petitioner can now assail the original order of demotion dated 29.07.2011, that too after the lapse of six years, before this Court. In these circumstances, the very maintainability of the writ petition becomes questionable, particularly in view of the larger Bench decision of this Court in ***K. Marappan v. Deputy Registrar of Cooperative Societies, Namakkal***, reported in ***2006 (4) CTC 687***.

5. The petitioner chose not to challenge either the first revisional order, wherein the demotion was upheld, or the second revisional order of the Government, which also resulted in dismissal. In the absence of any challenge to those orders, the petitioner cannot now assail the original order.



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Moreover, the petitioner has not furnished any explanation for the inordinate delay in approaching this Court and is clearly guilty of delay and laches.

6. In paragraph 15 of the counter affidavit, it has been stated as follows:-

“15. It is not correct to state that the petitioner has not joined duty as Assistant General Manager. The order of punishment was imposed depromoting the petitioner on 29.07.2011. He attained the age of superannuation on 31.07.2011. When the order of punishment was given effect, it cannot be stated that the petitioner had not joined duty to the reverted post. Even assuming, the petitioner has not joined to the reverted post, it cannot be stated that the petitioner was holding the post of General Manager till the date of superannuation. Therefore, contention of the petitioner in this regard is not sustainable. Further, the contention of the petitioner that he was paid salary applicable to the post of General Manager from 23.11.2010 to 30.07.2011 is not correct and the same is false and misleading.”

7. Accordingly, no case has been made out, and the writ petition is liable to be **dismissed**. There shall be no order as to costs. The connected Miscellaneous Petition shall also stand dismissed.

Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No
LS

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Copy to:

- 1 .The Registrar of Cooperative Societies,
Kilpauk,
Chennai-10.
2. The Joint Registrar of Cooperative Societies
Thanjavur-4.



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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
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