



W.P.(MD).No.27061 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.27061 of 2025

and

W.M.P(MD)Nos.20993 & 20995 of 2025

N.Alamelu Mangammal

...Petitioner

-Vs-

1. The Joint Registrar of Co-Operative Societies/
Common Cadre Authority,
Joint Registrar of Co-operative Societies,
Trichy Region,
Kajamalai Nagar, Trichy.

2. The Deputy Registrar,
Office of the Deputy Registrar of Co-op Societies,
Kajamalai, Trichy.

3. M.M.345, N.Goundanpatty Primary Agricultural Credit Society,
Rep by its Administrator/Secretary,
N.Pulampatti, Manaparai Taluk, Trichy District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF Certiorarified Mandamus to call for the records relating to the suspension order passed by the 1st respondent in Na.Ka. 3072/2025/PO PA THI dated 19.09.2025, quash the same and direct the 1st respondent to allow the petitioner to superannuate, on 30.09.2025 from service with all the retirement benefits of the petitioner and other consequential reliefs.



W.P.(MD).No.27061 of 2025

For petitioner : Mr.S.Senthil
For Respondents : M/s.F.Deepak
Special Government Pleader

ORDER

This Writ Petition is filed to issue a WRIT OF Certiorarified Mandamus to call for the records relating to the suspension order passed by the 1st respondent in Na.Ka.3072/2025/PO PA THI dated 19.09.2025, quash the same and direct the 1st respondent to allow the petitioner to superannuate, on 30.09.2025 from service with all the retirement benefits of the petitioner and other consequential reliefs.

2. The petitioner had been placed on suspension on 19.09.2025 and thereafter he had also attained the age of superannuation on 1309.2025. The petitioner had been granted promotion to the cadre of Secretary and he held the post of Additional Secretary in the third respondent Society. Common cadre Service Rues does not envisage disciplinary proceedings being made against the employee who had superannuated from service. As regards to the recovery, a proceedings has been initiated under Section 87 of the Cooperative Societies act.



W.P.(MD).No.27061 of 2025

3. This Court had passed orders in the WP(MD)No.24209 of 2025

holding as follows:

*"5. The primordial contention of the respondents is that the appointment of the petitioner as an attender in the year 1998 had been illegal. The appointments made in the cooperative societies were the subject matter of various litigation before this Court. The Government had also issued G.O.No.86 Cooperation, food and consumer protection (CA2) Department, dated 12.03.2001, to regularize the services which was highly condemned upon by the Hon'ble Apex Court in the judgment of **A.Umarani v. Registrar, Cooperative Societies**, case reported in (2004) 7 SCC 112 and the same was held a nullity. Thereafter, the Government had withdrawn the letter issued pursuant to G.O.No.86 by a Government Order in G.O.No.301 Cooperation, Food and Consumer Protection Department dated 17.10.2007. Even though, it is the claim of the respondents that the appointment of the petitioner is an illegal appointment, no action has been initiated against him till the date of his superannuation. In fact, the petitioner had been promoted as an Assistant Secretary in the year 1998 and had continued to work as an Assistant Secretary till the date of his superannuation on 30.06.2025. When that be so, it is too farfetched to now claim that the petitioner had been appointed illegally and his subsequent promotions are all illegal promotions, to de-promote him from the post of attender till the post of Assistant Secretary. No reasons have been attributed in the counter as to why the respondents have shut their eyes to the facts of the case and allowed the petitioner to*



W.P.(MD).No.27061 of 2025

continue in service even after the Government Order in G.O.No.301 Cooperation, Food and Consumer Protection Department dated 17.10.2007. Further, it is to be noted that there has been flagrant violation of principles of natural justice. For the aforesaid reasons, this Court is of the view that the order impugned herein is wholly arbitrary and a colourable exercise of power.

6. Hence the writ petition stands allowed and the order impugned herein is set aside and the respondent is directed to disburse the terminal benefits to the petitioner by treating him as an Assistant Secretary of the third respondent society and disburse the terminal benefits within a period of twelve weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions stand closed. No costs."

4. The same is also applicable to the facts of the present case. In view of the above, the impugned order of suspension is quashed and the respondents are directed to disburse the terminal benefits to the petitioner as eligible.

5. Accordingly, the Writ Petition is ordered with the above directions. No costs. Consequently, connected miscellaneous petitions are also closed.

13.11.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
pnn



W.P.(MD).No.27061 of 2025

To

1. The Joint Registrar of Co-Operative Societies/
Common Cadre Authority,
Joint Registrar of Co-operative Societies,
Trichy Region,
Kajamalai Nagar, Trichy.
2. The Deputy Registrar,
Office of the Deputy Registrar of Co-op Societies,
Kajamalai, Trichy.



WEB COPY



W.P.(MD).No.27061 of 2025

K.KUMARESH BABU J.

pnn

W.P.(MD).No.27061 of 2025

13.11.2025