



W.P.Nos.34946 of 2024 and 4710 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.Nos.34946 of 2024 and 4710 of 2026

and

W.M.P.Nos.37899 of 2024, 20954 of 2025 and 5255 and 5765 of 2026

W.P.No.34946 of 2024

G.Pommagiri

..Petitioner

Vs.

1.The Director,
Milk Production and Dairy
Development Department,
Nandanam, Chennai-600 035.

2.The Deputy Registrar (Dairying),
Sadhavaram High Road,
Orikkai Post, Kancheepuram.

3.The General Manager,
Kancheepuram-Tiruvallur District,
Milk Producers Co-operative Union,
Kakalur, Tiruvallur Taluk & District.

4.The Administrator,
Uthiramerur Milk Producers Co-operative
Society Limited,
No.G.1564, No.11, Panchanga Iyer Street,
Uthiramerur & Taluk,
Kancheepuram District.

..Respondents



W.P.Nos.34946 of 2024 and 4710 of 2026

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the respondents, particularly, the fourth respondent's impugned suspension order dated 11.07.2024, vide proceedings Ref.Na.Ka.No.01/2024 and to quash the same and consequentially direct the respondents, particularly, the fourth respondent permit to continue the petitioner's service as Secretary under the fourth respondent Society on the basis of the petitioner's representations dated 22.07.2024, 31.07.2024, 13.09.2024 and 19.09.2024.

For Petitioner : M/s.W.Thobias Arul

For Respondents : Mr.R.Murthi
Government Advocate
for R1 to R3
Mr.S.Arun Kumar for R4

W.P.No.4710 of 2026

G.Pommagiri

Vs

..Petitioner

- 1.The Director,
Milk Production and Dairy
Development Department,
Nandanam, Chennai-600 035.
- 2.The Deputy Registrar (Dairying),
Sadhavaram High Road,
Orikkai Post, Kancheepuram.



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3.The General Manager,
Kancheepuram-Tiruvallur District,
Milk Producers Co-operative Union,
Kakalur, Tiruvallur Taluk & District.

4.The Administrator,
Uthiramerur Milk Producers Co-operative
Society Limited,
No.G.1564, No.11, Panchanga Iyer Street,
Uthiramerur & Taluk,
Kancheepuram District.
...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records connected with the proceedings issued in Na.Ka.No.847/2024/E dated 26.09.2025 passed by the second respondent and Letter dated 03.11.2025 passed by the fourth respondent and quash the same and consequently, direct the respondents to disburse the subsistence allowance admissible to the petitioner.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.R.Murthi
Government Advocate
for R1 to R3
Mr.S.Arun Kumar for R4

COMMON ORDER

The petitioner was working as Secretary in the fourth respondent Society.
He was placed under suspension pursuant to the charge memo wherein the



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charges were framed for payment of double wages to the employees of the Society, overtime wages and various other financial irregularities committed by him. The petitioner challenges the suspension order in W.P.No.34946 of 2024 and in W.P.No.4710 of 2026, the petitioner challenges the recovery order passed by the second respondent, wherein, the excess subsistence allowance paid to him was ordered to be recovered and his subsistence allowance was reduced.

2. According to the learned counsel appearing for the petitioner, the fourth respondent failed to conduct any enquiry for the alleged allegations before issuing the impugned suspension order dated 11.07.2024 and that even after suspension, no subsistence allowance was paid to him. He also submits that the financial irregularities alleged to have been committed by the petitioner were actually committed by the fourth respondent/Administrator of the Society. With regard to recovery of excess payment of subsistence allowance, wherein 100% dearness allowance paid to him was calculated and paid instead of 12% Dearness Allowance. Hence, he seeks interference of this Court with the suspension order and to reinstate him in service.



3. The learned counsel appearing for the respondents submits that the petitioner has violated Rule 33 under Chapter-VII of the Special Rules for Milk Producers and Co-operation and has blatantly violated the guidelines issued by the Commissioner under the Co-operative Societies Act. Apart from the charges mentioned in the charge memo, the petitioner has increased the dearness allowance for himself as well as one Shanmugam, Assistant from 22% to 50% and 50% to 100% arbitrarily, without the approval of the Higher Authorities. Therefore, the order of recovery does not require any interference and deserves to be dismissed.

4. Taking into consideration the submission made by the learned counsel appearing for the parties, especially, the submission made by the learned counsel appearing for the petitioner, since the petitioner is only entitled to 12% dearness allowance, whereas, 100% dearness allowance was paid to him which is in excess of the eligible amount payable to him, the second respondent is directed to recover 88% of dearness allowance paid to him for the period from 11.07.2024 to 31.07.2025 and the fourth respondent is directed to reinstate the petitioner back into service by concluding the disciplinary proceedings within a period of two weeks from the date of receipt of a copy of this order.



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5. Accordingly, these Writ Petitions are disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

27-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SSB

To

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Nandanam, Chennai-600 035.

2.The Deputy Registrar (Dairying),

Sadhavaram High Road,
Orikkai Post, Kancheepuram.

3.The General Manager,

Kancheepuram-Tiruvallur District,
Milk Producers Co-operative Union,
Kakalur, Tiruvallur Taluk & District.

4.The Administrator,

Uthiramerur Milk Producers Co-operative Society Limited,
No.G.1564, No.11, Panchanga Iyer Street,
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M.DHANDAPANI J.

ssb

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