



WA No. 1325 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

and

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1325 of 2023

R.Gunasekaran
No.291/1, Veeramangalli Amman Koil Street,
Aranthangi, Pudukkottai District.

..Appellant(s)

Vs

1. The Registrar of Cooperative Societies
“NVN Maaligai”, No.1709 EVR Periyar Salai,
Kilpauk, Chennai 10.
2. Joint Registrar of Cooperative Societies
Pudukkottai Region at Pudukkottai.

..Respondent(s)

Prayer: Appeal filed under clause 15 of the Letters Patent Act to set aside the order of the learned Judge made in WP.No.17974 of 2012 dated 18.06.2018.

For Appellant(s): Mr.L.Chandrakumar

For Respondent(s): No appearance



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JUDGMENT

(Judgment of the Court was delivered by N.Senthilkumar J.)

The present intra Court Appeal is filed challenging the order passed in WP.No.17974 of 2012 dated 18.06.2018.

2.Mr.L.Chandrakumar, learned counsel for the appellant pointed out that the writ petition was filed challenging the order passed by the 2nd respondent in Na.Ka.8870/2008 A.1 dated 29.01.2011, which was confirmed by the 1st respondent through its proceedings in Na.Ka.No.17942/2011 O.Na.3 dated 14.09.2011. He further contended that the appellant was originally working as Senior Inspector of Co-operative Societies at Thodaiyur Agricultural Co-operative Bank between 25.05.2001 and 15.05.2003, wherein certain charges were levelled against him, pursuant to the same a charge memorandum, dated 24.03.2006 under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules was issued to him. After framing of charges, a departmental enquiry was conducted and the charges were held proved by the enquiry report dated 12.11.2007. The said report was accepted by the Disciplinary Authority and finally based on the enquiry report, punishment of dismissal was imposed



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against the appellant by proceedings dated 12.03.2008 and the same was confirmed by the Appellate Authority through its proceedings dated 21.08.2008.

3.He further submitted that the appellant had filed a writ petition in W.P.No.23074 of 2008 and by an order dated 06.01.2009, the writ petition was allowed and the order of penalty of dismissal, dated 12.03.2008 was quashed and the matter was remitted back for fresh consideration. Thereafter, a fresh enquiry was conducted against the appellant by the disciplinary authority and the original documents were furnished to him which was the consideration the above Writ Petition, subsequently. The documents were furnished to him and he was permitted to inspect the documents, which sought by him. Thereafter, the Enquiry Officer concluded that the charges were proved. Consequently, an order of dismissal was passed as against the appellant by the disciplinary authority on 29.01.2011.

4.He further submitted that while Appeal was pending before the Appellate Authority, he filed a writ petition in W.P.No.15646 of 2011, wherein a direction was issued to the authorities to dispose of the appeal memorandum. Thereafter, the appeal was rejected by the Appellate Authority vide order dated



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14.09.2011 confirming the punishment of dismissal from service. Challenging the same, W.P.No.17974 of 2012 was filed and the same was dismissed by this Court. Against which, the present Appeal has been filed.

5.Heard the learned counsel for the appellant and perused the available records.

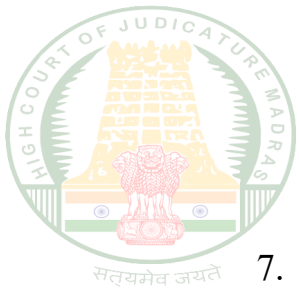
6.Before adverting into the allegations, it is incumbent on the part of this Court to examine the charges which were levelled against the appellant. The details of the charges levelled against the appellant was misappropriation, which are as follows:

Charge No.	Details of charge	Amount of money misappropriated
Charge No.1	Thiru.R.Gunasekaran senior inspector Thodaiyur Primary Agricultural Cooperative bank while working as special officer have created false loans in the in name of the members and granted loan to the extent of Rs.10,08,140/- illegally.	Rs.10,08,140/-
Charge No.2	Loans have been issued in the name of dead persons to the value of Rs.6,91,845 has been cheated.	Rs.6,91,845/-
Charge No.3	In the name of members of a single family bogus documents have been prepared and a total amount of Rs.33,43,456/- have been cheated.	Rs.33,43,456/-



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Charge No.4	For more than one person the same membership number has been given and loan to the tune of Rs.9,62,011/- granted.	Rs.9,62,011/-
Charge No.5	In the name of the members of the bank employee KCC loan granting of and cheating of Rs.6,27,074/-.	Rs.6,27,074/-
Charge No.6	Without the knowledge of the bank employees in their name loans have been granted to the extent of Rs.46,14,635/- and cheating done.	Rs.46,14,635/-
Charge No.7	For the small amount loan borrowers without the knowledge the big amount has been entered against their names and a sum of Rs.46,08,256/- has been cheated.	Rs.46,08,256/-
Charge No.8	Ineligible persons have been taken as members and gave KCC loans and thereby committed loss to the extent of Rs.3,19,541/-.	Rs.3,19,541/-
Charge No.9	Before joining as the member of the bank and without the permission for loan false resolution has been passed and a sum of Rs.8,37,000/- has been disbursed.	Rs.8,37,000/-
Charge No.10	By fraudulent resolution copy sent to the central cooperative bank Keeranur branch a fraud to the extent of Rs.19,49,000/- to KCC loan.	Rs.19,49,000/-
Charge No.11	Making unknown person as members and grant loan in their name to the extent of Rs.10,54,970/- and fraud committed.	Rs.10,54,970/-
Charge No.12	KCC loan has been given to the dead person by making them, members.	Rs.49,000/-
Charge No.13	In the Thodaiyur Primary Agricultural Cooperative Bank for jewel loan the following misdeeds had taken place.	Rs.9,48,150/-



7. From the materials available on record, it revealed that the appellant had indulged in very serious acts of forging the signatures and misusing the official seal of the Village Administrative Officer for embezzling the respondent Co-operative Society money. Taking note of the grave charges and the proved allegations, the Writ Court had dismissed the Writ Petition.

8. The Joint Registrar, while arriving at the finding of dismissal from service, had considered all the charges levelled against the appellant and during the enquiry, sufficient opportunity was granted to the appellant. The Enquiry Officer considered all the documents relied on by the department and the contentions raised by the appellant along with his explanation. The authority examined and scrutinised all the materials placed before and accepted the findings rendered by the Enquiry Officer.

9. When the allegations are grave in nature, the Enquiry Officer came to the conclusion that the charges stood proved. The Appeal preferred by the appellant was also dismissed by the appellate authority on the ground that no case had been made out by the appellant. Thereafter, the Writ Petition filed by the Appellant was also dismissed, confirming the orders passed by the original



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authority and the Appellate Authority. Taking into consideration the gravity of the charges and the allegations proved in the enquiry, this Court does not find any infirmity to interfere with the order passed by the learned single Judge.

10. In view of the same, order passed by the learned single Judge in W.P.No.17974 of 2012 dated 18.06.2018 is hereby confirmed and the present Appeal is dismissed. No costs.

(S.M.S.,J.) (N.S.,J.)
03-06-2026

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

sai

To

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2. Joint Registrar of Cooperative Societies
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