



WP(MD)No.1159 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09.02.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.1159 of 2026
and WMP(MD)Nos.888 and 889 of 2026

S.Mohamed Farook

... Petitioner

Vs

1. The Commissioner,
Tamil Nadu Co-Operative Milk Producers
Federation Ltd.,
Avin Illam, Nandanam (Head Office),
Chennai – 600 035.

2. The Managing Director,
Tamil Nadu Co-Operative Milk Producers
Federation Ltd.,
Avin Illam, Nandanam (Head Office),
Chennai – 600 035.

3. The General Manager,
Dindigul District Co-operative
Milk Producers' Union Ltd.,
No.8 East Govinthapuram,
Dindigul.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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praying this Court to issue a Writ of Certiorari, to call for the records of the respondent relating to charge memo dated 16.07.2025 in Na.Ka. 4393/Pa.Ku.Tho.U.2/2020 and quash the same.

For Petitioner : Mr.T.Ravichandran
For R2 and R3 : Mr.J.Devasenar
Standing Counsel

ORDER

The petitioner, a retired employee of Aavin, has filed this writ petition, challenging the charge memo dated 16.07.2025 that it has been issued against him after retirement.

2. The learned Standing Counsel appearing for the respondents 2 and 3 submits that the petitioner was allowed to retire from service on 28.02.2023, without prejudice to the disciplinary proceedings initiated against him. Even before that, the petitioner was issued with a charge memo in Na.Ka.No.4393/Pers/IR/2/2020 dated 08.05.2020. The impugned charge memo, according to him, is an additional charge memo issued pursuant to the defects that have been found out during the inquiry



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under Section 81 of the Act. The learned Standing Counsel has also relied upon an order passed by the Principal Seat in W.P.No.8297 of 2025 dated 08.01.2026, wherein, the petitioner has approached this Court as against the order dated 28.02.2023 passed by the respondents, rejecting the request of the petitioner for retirement benefits and this Court, on 08.01.2026, taking cognizance of all the issue and the nature of charges levelled as against the petitioner, disposed of the writ petition as under:

2.Meanwhile, the first respondent issue a charge memo dated 08.05.2020 in Na.Ka.No. 4393/Pers/IR/2/2020 against the petitioner alleging that the stock deficit and a solid loss of Rs.1,74,72,400/- for the financial year 2018-2019 and 2019-2020 and the petitioner was suspended from service, charges were framed against him and an enquiry officer was appointed and enquiry was pending against him, however, his suspension came to be revoked on 04.06.2020 and on the same day, he was transferred to Ambattur Dairy, posted to work as Assistant General Manager (Engineering). Thereafter, the Audit Authority initiated surcharge proceedings against the petitioner, alleging loss of inventory stock at Madurai Co-operative Milk Producers Union for the financial year 2019-2020 vide Na.Ka.No.



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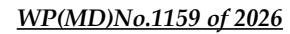
95/E2/2022 dated 24.11.2022 and called for explanation. Meanwhile, the petitioner retired from service on 28.02.2023 upon attaining the age of superannuation. Thereafter, surcharge proceedings vide T.Te/02/2022-23/E2 dated 15.02.2023 were initiated against him by the Deputy Registrar (Dairying), Dindigul/Enquiry Officer. Consequently, the first respondent vide reference No.12445/Pers.Estt.1/2022 dated 28.02.2023 passed the impugned order, withholding the terminal benefits till the finalization of disciplinary action, surcharge proceedings and audit objection pending against him. Challenging the said impugned order, the present writ petition has been filed.

4.

5.

6.

7. In view of the contention of the learned counsel for the petitioner, this Court directs the respondents to disburse the subsistence allowance payable to the petitioner on or before 03.02.2026 and conclude the disciplinary proceedings pending against him within a period of three (3) months from the date of receipt of a copy of this order.”



4. This Court considered the rival submissions made.

6. Considering the earlier order passed by this Court in W.P.No. 8297 of 2025 dated 08.01.2026 and the fact that the enquiry has already been concluded, this writ petition is closed with a direction to the respondents to conclude the disciplinary proceedings as expeditiously as



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possible, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

09.02.2026

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

To

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B.PUGALENDHI, J.



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