



W.A.(MD)No.777 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.777 of 2026
and C.M.P.(MD)No.6515 of 2026

The Administrator,
O.1640, Nagalkulam Primary Agricultural
Co-Operative Credit Society,
Arunaperi, Alangulam Taluk,
Tenkasi District.

...Appellant

Vs.

1. N. Dhashnamoorthy
2. The Joint Registrar of Co-Operative Societies
Cum Common Cadre Authority,
O/o. the Joint Registrar of Co-Operative Societies,
Tenkasi Region,
Tenkasi.
3. The Deputy Registrar of Co-Operative Societies,
O/o. Deputy Registrar of Co-Operative
Societies, Tenkasi Circle,
Tenkasi.

....Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent,
against the order passed by this Court in W.P.(MD)No.29606 of 2025,
dated 19.11.2025.



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For Appellant : Mr.S.Kumar

For Respondents : Mr.D.Shanmugaraja Sethupathi for R1

JUDGMENT

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge quashing the order passed by the appellant suspending the first respondent on the date of his superannuation and retaining him in service for the purpose of initiating proceedings against him under Sections 81 and 87 of “the Tamil Nadu Co-operative Societies Act, 1983” (hereinafter referred to as “the Act”) and also disciplinary proceedings, the present writ appeal has been filed.

2. We have heard the submissions made on either side and perused the entire order of the learned Single Judge.

3. Admittedly, the first respondent is the Secretary of the appellant Society, governed by the Tamil Nadu Primary Agricultural Co-



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operative Credit Societies Common Cadre Service Rules, 2019. Under the said Rules, there is no provision enabling the continuance of disciplinary proceedings beyond the date of retirement or permitting retention in service after attaining the age of superannuation.

4. Such being the position, the freezing of terminal benefits of the first respondent, his retention in service, and placing him under suspension are, in our view, not sustainable. It is to be noted that, on the date of superannuation, neither any disciplinary proceedings nor a charge memo had been issued. Therefore, a mere contemplation of enquiry under Section 81 of the Act would not justify placing a person under suspension, particularly after superannuation. Even if any enquiry results in surcharge proceedings against the first respondent, the order can be enforced by way of recovery under the provisions of the Tamil Nadu Revenue Recovery Act, 1864, or through other permissible modes. For that purpose, terminal benefits cannot be withheld. Hence, we find no merit in the writ appeal.



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5. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
01.06.2026

Index : Yes/No
NCC : Yes/No
vsm



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