



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

and

W.M.P.(MD) Nos.4743 & 7702 of 2025

1. W.P.(MD) No.6459 of 2025:

D.Selvam

... Petitioner

-vs-

1.The Joint Registrar of
Cooperative Society
Pudukottai District

2.The Deputy Registrar of
Cooperative Society
Aranthangi Circle
Pudukottai District

3.The Special Officer / Administrator
Cooperative Primary Agricultural and
Rural Development Bank
Avudaiyarkoil
Pudukottai District

... Respondents



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records in Na.Ka.No. 01/2025/O.Na dated 13.02.2025 on the file of third respondent and quash the same and direct the respondents to reinstate the service of the petitioner with all consequential service and monetary benefits from the date of suspension.

For Petitioner : Mr.T.T.Nishanth

For Respondents : Mrs.K.Porkodi
Counsel for the Government for R1 & R2
Mr.D.Shanmugaraja Sethupathi for R3

2. W.P.(MD) No.7038 of 2026:

D.Selvam ... Petitioner

-vs-

1.The Joint Registrar of
Cooperative Society
Pudukottai District

2.The Deputy Registrar of
Cooperative Society
Aranthangi Circle
Pudukottai District

3.The Special Officer / Administrator
DRL.TJ (1) Cooperative Primary Agricultural and
Rural Development Bank
Avudaiyarkoil, Pudukottai District

... Respondents



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the third respondent to consider the petitioner's representation dated 20.05.2025.

For Petitioner : Mr.T.T.Nishanth

For Respondents : Mrs.K.Porkodi
Counsel for the Government for R1 & R2
Mr.D.Shanmugaraja Sethupathi for R3

COMMON ORDER

These two writ petitions are at the instance of the same petitioner and the cause of action is also one and the same, though he is seeking two different reliefs. Hence, both the writ petitions are taken up together for consideration and being disposed of by this common order.

2. In W.P.(MD) No.6459 of 2025, the petitioner assailed the order dated 13.02.2025, whereby he was placed under suspension by the third respondent pending enquiry. The operation of the said suspension order was stayed by this Court by an order dated 20.03.2025, on the ground that the petitioner is a Common Cadre Employee and it is only the Joint Registrar of



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY

Co-operative Societies is competent to initiate disciplinary proceedings against the Common Cadre Employees. Seeking vacation of the said interim order dated 20.03.2025, the third respondent – Society has filed a vacate stay petition in W.M.P.(MD) No.7702 of 2025 along with counter-affidavit, contending that the petitioner, who was working as Secretary in the third respondent – Society, would not fall within the meaning of “Common Cadre Employee” and also contending that the interim order was passed on an erroneous impression that the petitioner herein is a Common Cadre Employee.

3. Learned counsel for the petitioner, in support of his contention to say that the petitioner falls within the meaning of “Common Cadre Employee”, placed reliance on a decision of this Court in ***P.Baluchamy vs. The State, represented by the Secretary to Government, Co-operation Food and Consumer Protection Department, Chennai, and others***, reported in ***2003 Supreme (Mad) 850***, wherein there was a reference to the Government Order in G.O.Ms.No.55, Co-operation, Food and Consumer Protection Department, dated 24.03.2000, whereby the Secretary of the Co-operative Bank was constituted as a “Common Cadre Employee”.



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY

4. In response to the same, learned counsel appearing for the third respondent – Society placed before this Court a copy of the Government Order in G.O.Ms.No.122, Cooperation, Food and Consumer Protection (CN1) Department, dated 04.07.2008, whereby the Common Cadre Service in respect of the post of Secretary of the Primary Agricultural Cooperative Banks in the State constituted through the Government Order in G.O.Ms.No.55, Co-operation, Food and Consumer Protection Department, dated 24.03.2000, was abolished. Thus, it is evident that by virtue of the Government Order in G.O.Ms.No.122, Cooperation, Food and Consumer Protection (CN1) Department, dated 04.07.2008, the Common Cadre Service that was constituted through G.O.Ms.No.55, Co-operation, Food and Consumer Protection Department, dated 24.03.2000, came to be abolished. Therefore, the contention of the learned counsel for the petitioner that the petitioner, who was working as Secretary in the third respondent – Society, would fall within the meaning of “Common Cadre Employee” cannot be sustained. Except the Government Order in G.O.Ms.No.55, Co-operation, Food and Consumer Protection Department, dated 24.03.2000 and the decision of this Court in **P.Baluchamy's** case, there is no other material that is brought to the notice of this Court to say that the petitioner is a Common Cadre Employee. In the said circumstances, the ground, on which the interim order was granted by



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY this Court on 20.03.2025, cannot be continued. Hence, the interim stay granted by this Court on 20.03.2025 is hereby vacated.

5. Be that as it may, as submitted by the learned counsel appearing for the third respondent – Society, subsequent to the impugned suspension order, disciplinary proceedings are initiated by the third respondent against the petitioner and the enquiry is pending and it is yet to be concluded. As the petitioner was already reinstated into service almost a year's back and he is working as Secretary in the third respondent – Society, this Court does not see any reason to disturb the petitioner at this length of time. Instead, this Court is of the considered view that it would be appropriate to fix a time frame for the third respondent to conclude the disciplinary proceedings that were initiated against the petitioner herein.

6. Accordingly, the writ petition in W.P.(MD) No.6459 of 2025 is disposed of directing the third respondent to conclude the disciplinary proceedings initiated against the petitioner herein, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order, while continuing the petitioner in service.

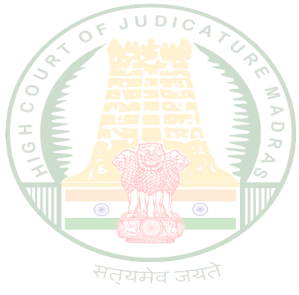


W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

WEB COPY

7. Insofar as the relief sought in W.P.(MD) No.7038 of 2026 is concerned, the same is for payment of salary for the period during which petitioner was placed under suspension. The same cannot be decided at this stage as the disciplinary proceedings are already pending and this Court also refused to interfere with the impugned suspension order. Hence, the entitlement or otherwise of the petitioner for payment of salary for the period of suspension is always subject to result of the disciplinary proceedings. Hence, it is left open to be agitated by the petitioner after conclusion of the disciplinary proceedings. Accordingly, the writ petition in W.P.(MD) No.7038 of 2026 is disposed of.

8. Insofar as the objection raised by the learned counsel appearing for the third respondent - Society with regard to the maintainability of these writ petitions by placing reliance on a decision of the Full Bench of this Court in the case of **T.K.Ananda Sayanan vs. The Joint Registrar, Co-operative Societies, Vellore Region, Vellore, and another**, reported in **2007 (5) CTC 1**, is concerned, in the light of the nature of disposal of these writ petitions, this Court felt that the same need not be gone into the present writ petitions.



W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

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9. No costs. Consequently, connected miscellaneous petitions are closed.

02.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Joint Registrar of
Cooperative Society,
Pudukottai District.
- 2.The Deputy Registrar of
Cooperative Society,
Aranthangi Circle,
Pudukottai District.



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W.P.(MD) Nos.6459 of 2025 & 7038 of 2026

MUMMINENI SUDHEER KUMAR, J.

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W.P.(MD) Nos.6459 of 2025 & 7038 of
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W.M.P.(MD) Nos.4743 & 7702 of 2025

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Page 9 of 9