



W.P.(MD) No.10993 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.10993 of 2026
and
W.M.P.(MD) No.8573 of 2026

R.M.Napoleon

... Petitioner

-vs-

- 1.The Joint Registrar of
Co-operative Societies
Sivagangai Region
Sivagangai District
- 2.The Circle Deputy Registrar
of Co-operative Societies
Sivagangai Circle
Sivagangai District
- 3.The Administrator
N.N.630, Kombukaranendhal
Primary Agricultural
Co-operative Credit Society
Kombukaranendhal
Manamadurai Taluk
Sivagangai District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the third respondent dated 13.03.2026 and quash the same and consequently directing the respondents to reinstate the petitioner in the third respondent Society as Assistant Secretary within time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.M.Dinesh Hari Sudarsan
Counsel for the Govt. of Tamil Nadu for R1 & R2
Mr.S.Kumar for R3

ORDER

This writ petition has been filed aggrieved by the impugned order dated 13.03.2026, passed by the third respondent, whereby, the petitioner was dismissed from the services of the respondent – Society.

2. The impugned order has been challenged on various grounds, including on the ground that the third respondent has no jurisdiction to pass the impugned order.

3. This Court, having taken note of the said submission and having examined the matter, passed an interim order on 20.04.2026 staying



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operation of the impugned order dated 13.03.2026 passed by the third respondent. The said interim order dated 20.04.2026 reads as under:

“Notice before admission.

2. Mr.S.Shaji Bino, learned Special Government Pleader, takes notice for the respondents and seeks time for filing counter affidavit.

3. Prima facie, it appears that the petitioner, being an Assistant Secretary working in the third respondent Society, would fall within the definition of a “common cadre employee” as defined under the Tamil Nadu Primary Agricultural Cooperative Credit Societies (PACCS) Common Cadre Service Rules, 2019. In terms of Sub-Rule (8) of Rule 30 of the said Rules, the disciplinary authority is the Common Cadre Authority as defined therein. However, the impugned order dated 13.03.2026 has been passed by the third respondent, dismissing the petitioner from the post of Assistant Secretary of the third respondent Society. In the circumstances, prima facie it appears that the impugned order has been passed in violation of Sub-Rule (8) of Rule 30 of the said Rules, without there being any authority or power vested in the third respondent.

4. In the said circumstances, there shall be an order of interim stay of the operation of the impugned proceedings until further orders.

5. List the matter on 16.07.2026 for filing counter affidavit.”



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4. Though the third respondent filed a counter-affidavit and taken a stand that the Tamil Nadu Primary Agricultural Cooperative Credit Societies Common Cadre Service Rules, 2019 (in short, “Common Cadre Service Rules”), have no application to the case of the petitioner, learned counsel for the third respondent across the Bar submits that the Common Cadre Service Rules do apply to the case of the petitioner and therefore, it is only the first respondent, who is competent to take disciplinary action against the petitioner, who served as Assistant Secretary in the respondent – Society and seeks appropriate direction to the first respondent to pass orders in the disciplinary proceedings in question.

5. In the light of the above, it is not in dispute that the third respondent has no competency to pass the impugned order dismissing the petitioner from service and it is only the first respondent is competent in terms of the Common Cadre Service Rules.

6. In the light of the above, the impugned order dated 13.03.2026, passed by the third respondent, cannot be sustained and the same is, accordingly, quashed granting liberty to the third respondent to place the entire materials before the first respondent for taking appropriate steps in this



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matter. It is further directed that the first respondent, before taking any final decision in this matter, shall afford an opportunity to the petitioner and take a decision thereafter in accordance with law. Consequent upon the quashing of the impugned order, the status of the petitioner, as on the date of passing of the impugned order, shall stand restored. The third respondent shall also take necessary steps for payment of subsistence allowance, in case if the third respondent intends to continue the petitioner under suspension pending passing of orders by the first respondent, as directed above.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.07.2026

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

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To:

1.The Joint Registrar of
Co-operative Societies,
Sivagangai Region,
Sivagangai District.

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2.The Circle Deputy Registrar
of Co-operative Societies,
Sivagangai Circle,
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MUMMINENI SUDHEER KUMAR, J.

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