

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.29738 of 2014 &
M.P.No. 1 of 2014

R.Murugesan

... Petitioner

v.

1. The Director of Co-operative Audit,
Chennai - 5.
2. The Assistant Director of
Co-operative Audit,
Appavoo Nagar, Dharmapuri.
3. The Deputy Registrar of Co-operative
Societies, Hosur Circle,
Hosur, Krishnagiri District.
- 4.R.R.Jayarai,
Co-operative Audit Officer/Re-Audit Officer,
U/Sec.80(8)
S-836, Royakottai Primary Agricultural
Cooperative Credit Society,
Royakottai,
Krishnagiri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 3.6.2014 under section 80(8) of Tamil Nadu Cooperative Society Act 1983 of the 4th respondent, quash the same as illegal in so far as its relates to fixing the venue for conducting re-audit at some other society viz. KK-137, Hosur Cooperative Primary Agricultural and Rural Development Bank, Hosur, Hosur Taluk, Krishnagiri District and consequently direct the respondents to conduct the re-audit of the accounts of S-836, Royakottai Primary Agricultural Cooperative Credit Society Ltd., Royakottai, Krishnagiri District at its Headquarters as contemplated under Section 80(3) of Tamilnadu Cooperative Societies Act 1983.

For petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.D.Venkatachalam,
Govt. Advocate - For R1 to R3
Mr.K.J.Sivakumar - for R4

ORDER

The petitioner has filed the above writ petition to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings dated 03.06.2014, to quash the same in so far as its relates to fixing the venue for conducting re-audit at some other society viz., KK-137, Hosur Cooperative Primary Agricultural and Rural Development Bank, Hosur, Hosur Taluk, Krishnagiri District and consequently direct the respondents to conduct the re-audit of the accounts of S-836, Royakottai Primary Agricultural Cooperative Credit Society Limited, Royakottai, Krishnagiri District at its Headquarters as contemplated under Section 80(3) of Tamilnadu Cooperative Societies Act 1983.

2. When the matter is taken up for hearing, Mr.D.Venkatachalam, learned Government Advocate appearing for the respondents 1 to 3, submitted that already re-audit was conducted and audit report was also produced. Further, the learned Government Advocate submitted that since the re-audit was already conducted, the relief sought for in this writ petition has become infructuous.

3. Learned counsel appearing for the petitioner fairly submitted that the relief sought for in this writ petition has become infructuous. However, learned counsel for the petitioner submitted that liberty may be given to the petitioner to apply for the copy of the audit report.

4. Having regard to the submission made by the learned counsel on either side, the writ petition stands dismissed as infructuous. It is open to the petitioner to apply for the copy of the audit report to the President of the Society and it is open to the President of the Society to pass suitable orders in the application to be filed by the petitioner seeking for copy of the audit report. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

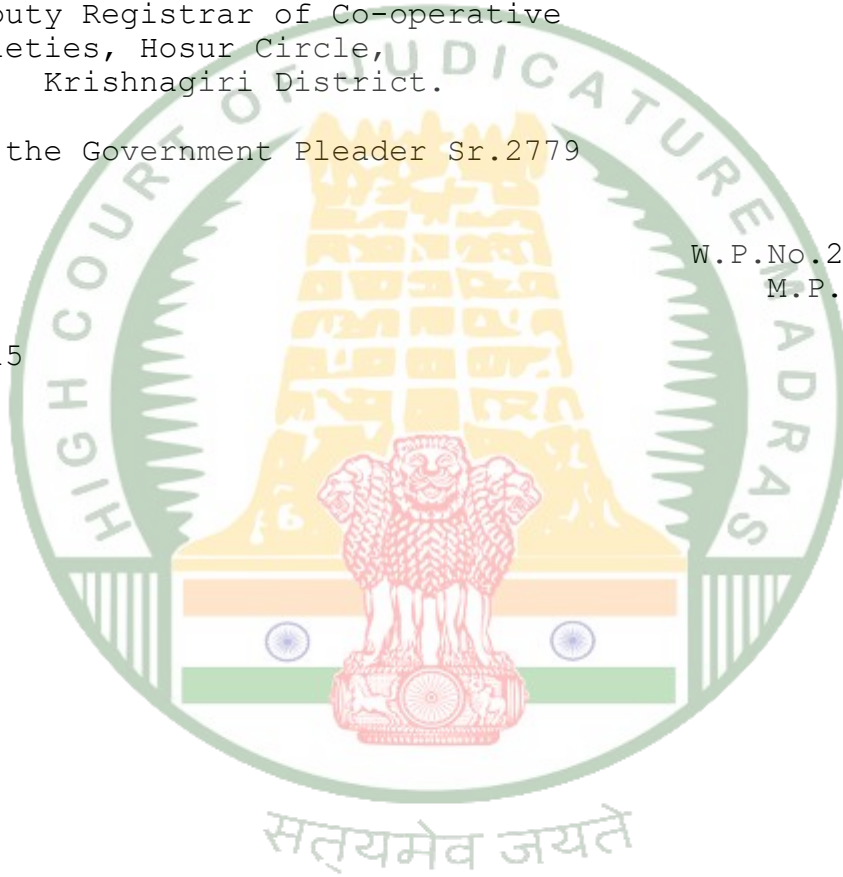
Rj

To

1. The Director of Co-operative Audit,
Chennai - 5.
 2. The Assistant Director of
Co-operative Audit,
Appavoo Nagar, Dharmapuri.
 3. The Deputy Registrar of Co-operative
Societies, Hosur Circle,
Hosur, Krishnagiri District.
- + 1 cc to the Government Pleader Sr.2779

MP (CO)
Eu 24.02.15

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