

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.35574 of 2015
and MP.No.1 of 2015

R.Murugesan

.. Petitioner

Vs.

The Deputy Registrar of Cooperative Societies,
Hosur Circle Hosur,
Krishnagiri District.

.. Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of mandamus to direct the respondent to furnish copy of the under Section 81 enquiry report dated 02.06.2014 to the petitioner.

For Petitioner : M/s.C.Prakasam

For Respondents : M/s.T.P.Savitha, GA.

ORDER

By consent, this writ petition is taken up for final disposal.

2.The petitioner would state that he was appointed as Secretary in Royakottai Primary Agricultural Cooperative Credit Society, Royakottai on 12.11.1990. During 2013, when the newly Elected Board of Management has received copy of the audit report of the Cooperative Audit Officer, Hosur on 31.05.2013. Since, the accounts of the society does not tally with the original accounts maintained by the Society, the Board of Management by resolution dated 14.06.2013 ordered for reaudit and on the basis of audit report enquiry under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983 was ordered and the petitioner was also placed under suspension on 12.12.2014.

3.The grievance of the petitioner is that even without giving the copies of Section 81 enquiry report, the respondent has initiated surcharge proceedings under Section 87 of the Tamil Nadu Cooperative Societies Act. The petitioner has also made written representation before the respondent to furnish the

copy of the enquiry report under Section 81 of the Act, but the respondent has not responded so far and on the other hand, the respondent is proceedings with further enquiry under Section 87 of the Act. Hence, the present writ petition is filed before this Court.

4. Heard the submissions of Mr.C.Prakasam, learned counsel appearing for the petitioner and M/s.T.P.Savitha, Government Advocate who accepts notice on behalf of the respondent.

5. This Court considering the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner representation dated 02.06.2014 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

tsh

To
The Deputy Registrar of Cooperative Societies,
Hosur Circle Hosur,
Krishnagiri District.

+1 cc to Mr.C.Prakasam, Advocate, sr.61116
+1 cc to Government Pelader, sr.61469
+1 cc to M/s.T.P.Savitha, Advocate, sr.61062

ak co
kra 27.11.2015

W.P.No.35574 of 2015