



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2015

CORAM:

THE HONOURABLE Mr. JUSTICE K. RAVICHANDRABABU

W.P. (MD) No. 22883 of 2015

and

M.P. (MD) No. 1 of 2015

S. Rengasamy

... Petitioner

Vs.

1. The Regional Joint Registrar,
Madurai Region Cooperative Society,
Chinnachokkikulam,
Madurai.

2. The Deputy Registrar,
Usilampatti Circle,
Tirumangalam,
Madurai District.

3. The Sub Registrar / Field Officer,
Sedapatti Circle,
Tirumangalam Taluk,
Madurai District.

4. M.D.Spl. - 119 Sivarakottai Primary Agricultural Cooperative Society,
Rep. by the President,
Sivarakottai,
Tirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned show cause notice passed by the 1st respondent in his proceedings Na. Ka. No. 6253/2015 dated 30.10.2015 and quash the same.

For Petitioner : Mr. K. Seemaraj
For Respondents : Mr. N. S. Karthikeyan, AGP

O R D E R

Mr. N. S. Karthikeyan, learned Additional Government Pleader takes notice for the respondents and by consent of both parties, this Writ petition itself is taken up for final disposal.

2. The petitioner is aggrieved against two show cause notices issued under the same proceedings dated 30.10.2015 under Sections 36 (1) and 88 of the Tamil Nadu Cooperative Societies Act.

[https://hcservices.courts.gov.in/hcservices/](https://hcservices.courts.gov.in/hcservices/courts/govt/hcservices/) grievance of the petitioner before this Court while challenging the show cause notice is that without giving the enquiry report submitted by the Inspection Officer dated 29.06.2015, the



petitioner is called upon to show cause and that without the said enquiry report, the petitioner cannot effectively give explanation.

4.The learned Additional Government Pleader appearing for the 2nd respondent fairly submitted that the said enquiry report will be furnished to the petitioner immediately, and thereafter, the enquiry will be conducted after receiving the explanation from the petitioner.

5.Therefore, this Court is of the view that the petitioner cannot have any further grievance as against the show cause notice except to give an explanation after receipt of the said enquiry report.

6.Accordingly, this Writ petition is disposed of with a direction to the 2nd respondent to furnish a copy of the enquiry report dated 29.06.2015 to the petitioner within a period of 2 weeks from the date of receipt of a copy of this order. On receipt of such report, the petitioner shall give his explanation within a period of two weeks thereafter. On receipt of such explanation from the petitioner, it is open to the 1st respondent to pass orders on merits and in accordance with law. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1.The Regional Joint Registrar,
Madurai Region Cooperative Society,
Chinnachokkikulam,
Madurai.

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4.M.D.Spl. - 119 Sivarakottai Primary Agricultural Cooperative Society,
Rep.by the President,
Sivarakottai,
Tirumangalam Taluk,
Madurai District.

+1 CC to Mr.K.Seemaraj, Advocate, SR No.72650

W.P. (MD) No.22883 of 2015
18.12.2015