

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.10121 of 2016 &

W.M.P.Nos. 9017 & 9018 of 2016

G.Vasanthi .. Petitioner
Versus

- 1.State of Tamil Nadu
rep. by its Secretary (Co-operative)
Fort st.George, Chennai 600 009.
- 2.The Registrar of Co-operative Societies
EVR Road, Kilpauk,
Chennai 600 010.

3.K.Manoharan .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari to call for the Notice issued by the third respondent dated 10.03.2016 and quash the same.

For Petitioner : Mr.J.Srinivasa Mohan

For Respondents : Mr.L.P.Shanmugha Sundaram-R1&R2
Special Government Pleader

ORDER

Heard Mr.J.Srinivasa Mohan, learned counsel appearing for the petitioner, Mr.L.P.Shanmugha Sundaram, learned Special Government Pleader accepting notice for the respondents 1 & 2 and with the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The Petitioner has come before this Court challenging the Notice issued by the third respondent dated 10.03.2016, calling upon the petitioner to attend an enquiry in respect of the subject matter, which has already been ceased of by the Registrar of Co-operative Societies.

3.The Notice dated 10.03.2016 has been issued pursuant to the order passed by this Court in another Writ Petition in W.P.No.9165 of 2015, filed by the petitioner, wherein the petitioner sought for a direction to ensure that the Tamil Nadu

Tender Transparency Act, 1998, is to be followed in construction of a Godown for the Society in question. The Court after hearing the parties, by an order dated 25.01.2016, disposed of the Writ Petition granting time to the Registrar of Co-operative Societies to pass orders on the representation.

4.The learned Special Government Pleader on instructions submitted that a further period of fifteen days is available for the Registrar to pass orders on the proceedings initiated against the petitioner and he is initiating action.

5.The Joint Registrar (Statutory and Training), Office of the Registrar of Co-operative Societies, Chennai, has given a written note to the learned Special Government Pleader, wherein it has been accepted that action is being taken by the Registrar of Co-operative Societies, pursuant to the direction in W.P.No.9165 of 2015.

6.In the facts and circumstances of the case, it would be superfluous for the Deputy Registrar to commence enquiry on the same issue. Therefore, the impugned proceedings are set aside and it is left open to the Registrar to consider the matter and he can call for the entire records from the Office of the Deputy Registrar, if the same is required to comply with the earlier directions issued in the Writ Petition.

The Writ Petition is allowed subject to the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1.The Secretary to Government of Tamil nadu (Co-operative)
Fort st.George, Chennai 600 009.

2.The Registrar of Co-operative Societies
EVR Road, Kilpauk, Chennai 600 010.

1 cc to Mr.J. Srinivasa Mohan, Advocate, Sr. 22660

1 cc to Mr.L.P. Shanmugasundaram, Advocate, Sr. 22675

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NM (CO)

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