

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12122 of 2016

&

WMP No.10485 of 2016

Mrs.S.Rajeshwari

... Petitioner

Vs.

1. The Registrar of Cooperative Societies
Kilpauk, Chennai-10

2. The Director
Directorate of Vigilance and Anti Corruption
NCB-21 to 28, P.S.Kumarasamy Raja Salai
Raja Annamalaipuram, Chennai-28

3. The Joint Registrar of Cooperative Societies
Office of Joint Registrar
Thiruvannamalai
Thiruvannamalai District

4. Mrs.Sundaramurthi

5. Mr.Anbazhan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents to dispose of the representation dated 22.1.2016 to take action against the 4 and 5 respondent.

For Petitioner : Mr.V.Subbarayan

For Respondents : Mrs.T.P.Savitha,
Government Advocate

O R D E R

Heard the learned counsel for the petitioner and Mrs.T.P.Savitha, learned Government Advocate, who took notice for respondents 1 to 3 and with their consent, the main writ petition itself is taken up for hearing.

2. This writ petition has been filed seeking a writ of mandamus directing the respondents to dispose of the representation dated 22.1.2016 to take action against the fourth and fifth respondents.

3. The petitioner has given a representation to the first respondent dated 22.1.2016 to take action against the fourth and fifth respondents, as they have made false enquiries, misappropriated funds and acquired disproportionate assets to the known sources of income. Since the said representation has not yet been considered, he has come to this Court with the aforesaid prayer.

4. It is seen that the fourth respondent found out some irregularities and misappropriation of funds to the tune of Rs.4,83,191.75 in HH518 Padavadu Primary Agricultural Cooperative Society. One Mr.Ravi, Cashier of the said Society paid the aforesaid sum and on certain allegations, he was dismissed from service on 26.6.2010. The dismissal order was challenged before the Joint Registrar of Cooperative Societies under section 153 of the Tamil Nadu Cooperative Societies Act, 1983. Subsequently, the said Ravi died on 26.6.2010. On the basis of the judgement, the legal heirs of the deceased Ravi were paid with retiral benefits on 29.6.2011. But, the petitioner has not enclosed the copy of the order passed by the Joint Registrar of Cooperative Societies under section 153 of the Tamil Nadu Cooperative Societies Act. Further, the retiral benefits were given to the legal heirs of Ravi on 29.6.2011 itself. Hence, it is too late for the petitioner to come to this Court with this writ petition, by stating that the release of retiral benefits is not justified and reasonable. This Court is not inclined to entertain the writ petition. The writ petition is liable to be dismissed as it is fully bereft of any merit. The Writ Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Registrar of Cooperative Societies
Kilpauk, Chennai-10
2. The Director
Directorate of Vigilance and Anti Corruption
NCB-21 to 28, P.S.Kumarasamy Raja Salai
Raja Annamalaipuram, Chennai-28
3. The Joint Registrar of Cooperative Societies
Office of Joint Registrar
Thiruvannamalai
Thiruvannamalai District

1 CC to Ms.V.Rani, Advocate SR.No.20782
1 CC to the Government Pleader, SR.No.20932

W.P.No.12122 of 2016

PVS (CO)
CA(09.05.2016)



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