

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.02.2016

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No. 5347 OF 2016 &
W.M.P.4659 of 2016

A.Jayapal

[PETITIONER]

Vs

- 1 The Deputy Registrar of Coop.Societies
Nagapattinam Circle, Nagapattinam,
Nagapattinam District.
- 2 The Co-operative Sub Registrar/Field Officer
Keelaiyur O/o.Deputy Registrar of Coop. Societies
Nagapattinam Circle
Nagapattinam, Nagapattinam District.

[RESPONDENTS]

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to forbear the respondents from proceeding further in pursuant to the seizure of the records from the Z.274, Thiruvidaimarudhur Primary Agricultural Coop. Credit Society, Thiruvidaimarudhur, Arunthavampulam Post, Thirukuvalai Taluk, Nagapattinam District, unless furnishing the details of the enquiry U/s.81 of Tamil Nadu Co-operative Societies Act said to have been ordered by the 1st respondent.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.D.Venkatachalam
Government Advocate

O R D E R

Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.D.Venkatachalam, learned Government Advocate accepting notice for respondents and with the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.After hearing the learned counsel for the parties, this Court is of the prima facie view that the relief sought for in this Writ Petition is, premature. All that has been done is that an enquiry under section 81 of the Tamil Nadu Co-operative Societies Act has been commenced and the petitioner is aggrieved by the action of the second respondent in seizing the records. However, it is submitted by the learned Government Advocate that the records have been seized under 'magazar' and are in the safe custody of the first respondent. Therefore, at this juncture, no relief as sought for can be granted.

3.Accordingly, the Writ Petition is closed. However, liberty is granted to the petitioner to agitate his grievance in the manner provided under the provisions of the Tamil Nadu Co-operative Societies Act. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The Deputy Registrar of Coop.Societies
Nagapattinam Circle, Nagapattinam,
Nagapattinam District.
- 2 The Co-operative Sub Registrar/Field Officer
Keelaiyur O/o.Deputy Registrar of Coop. Societies
Nagapattinam Circle
Nagapattinam, Nagapattinam District.

+1 cc to Mr.C.Prakasam, Advocate, sr.9754
+1 cc to The Government Pleader, sr.9613

W.P.No. 5347 OF 2016

vd co
kra 22.02.2016