

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.23837 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus (a) declaring the inaction of the respondents in initiating any action on the petitioner's representation dated 29.03.2016 for a thorough inquiry to be conducted for the missing points from the 1st inquiry report and against the 2nd inquiry report as illegal, arbitrary and violative of Article 14 of the Constitution of India; (b) directing the respondents to conduct a thorough inquiry for the missing points in the 1st inquiry report and further direct the respondents to initiate criminal as well as civil proceedings against the persons who are responsible for misappropriation of cores of rupees of public funds and society funds. (c) directing the respondents 1 to 8 to cause recovery of the amounts from the 10th respondent, who is responsible for the 9th respondent societies mismanagement for indulging in land scam, illegal registrations and for misappropriation of cores of rupees of the 8th and 9th respondent societies.

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Co-operation and the learned Government Pleader for Revenue.

3. Earlier, the petitioner filed W.P. No.30832 of 2015 alleging that the 9th respondent herein committed some irregularities. This court allowed the said writ petition on 24.7.2015. Feeling aggrieved by the order of the learned Single Judge, 9th respondent filed W.A. No.1144 of 2015 and the same was disposed of on 20.1.2016 with the following observation:

"It is open to the 1st respondent to take appropriate remedy against the enquiry report, dated 12.01.2015 and so also the enquiry report, dated 07.10.2015, submitted by the 5th respondent, who was appointed as Enquiry Officer by the 4th

respondent vide order, dated 08.04.2015. All contentions of the parties are kept open. In view thereof, the order of learned Single Judge renders ineffective.”

In pursuance of the orders passed by the Division Bench of this court, the petitioner made representation to the respondent Nos.1 to 4 on 31.3.2016 to conduct enquiry in order to find out the irregularities committed by 9th respondent and it is pending.

4. The learned counsel for the petitioner submitted that the respondent Nos.1 to 4 may be directed to dispose of the representation of the petitioner as early as possible.

5. Having regard to the facts and circumstances of the case, respondent Nos.1 to 4 are hereby directed to dispose of representation of the petitioner dated 31.3.2016 in accordance with law as early as possible preferably within a period of two months from the date of receipt of a copy of this order.

6 . With the above direction, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

July 22, 2016.
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