

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.5738 of 2017

and W.M.P.Nos.6095 and 6096 of 2017

N.Nallappan

.. Petitioner

Vs

The Deputy Registrar of Cooperative Societies,
Ariyalur Circle, Ariyalur,
Ariyalur District.

.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.2503/2015/Sa.Pa, dated 20.10.2016 and quash the same and consequently direct the respondent to furnish the copy of the enquiry report made U/s.81 of Tamil Nadu Cooperative Societies Act to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.V.Selvaraj, AGP

ORDER

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.2503/2015/Sa.Pa, dated 20.10.2016 and quash the same and consequently direct the respondent to furnish the copy of the enquiry report made U/s.81 of Tamil Nadu Cooperative Societies Act to the petitioner.

2. The learned counsel for the petitioner submitted that the writ petitioner has filed the writ petition before this Court challenging the impugned order passed by the respondent in his proceedings Na.Ka.2503/201/Sa.Pa, dated 20.10.2016, quash the same and to direct the respondent to furnish a copy of the enquiry report made under Section 81 of the Tamil Nadu Cooperative Societies Act to him, because the writ petitioner is not in a

position to submit his explanation before the respondent without the said copy.

3.The learned Additional Government Pleader for the respondent on instructions, would submit that the petitioner had issued a notice on 20.02.2017 and the same was received by the respondent on 20.02.2017. On the very same day, the respondent has sent a letter bearing No.Na.Ka.2503/2015 by furnishing the enquiry report under Section 81 of the Tamil Nadu Cooperative Societies Act and asked the petitioner to submit his explanation within 7 days time. Therefore, prayer has become infructuous.

3.Heard both sides.

4.The petitioner has preferred the writ petition challenging the impugned order on the ground that the enquiry report has not been furnished under Section 81 of the Tamil Nadu Cooperative Societies Act. But, however, on instructions, the learned Additional Government Pleader for the respondent placing on record a copy of the aforesaid letter bearing Na.Ka.2503/2015/Sa.Pa. dated 20.10.2016 stated that the enquiry report has been furnished to the petitioner. Therefore the writ petition is dismissed with liberty to the petitioner to submit his explanation within seven days from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are also dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

dpq

To

The Deputy Registrar of Cooperative Societies,
Ariyalur Circle, Ariyalur, Ariyalur District.

+1 CC to Mr.C.Prakasam, Advocate Sr.No.15868

+1 CC to Mr.L.P.Shanmugasundaram, Advocate Sr.No.15980

+1 CC to Government Pleader, High Court, Chennai Sr.No.16263

W.P.No.5738 of 2017
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NM(CO)

KP(19/04/2017)