

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. No. 14393 of 2014

Veerakumar

President,

Theeran Chinnamalai Powerloom Weavers'

Co-operative Production and Sales

Society Limited E.H. 219

... Petitioner

Vs.

1.The Director of Handloom and Textiles,
Office of Director of Handloom and Textiles,
Chennai - 108.

2.The Chairman, Head Office,
Co-optex, Pantheon Road,
Egmore, Chennai -08.

3.K.Ramalingam,
Additional Director of Handloom and Textiles,
Erode.

4.Krishnamoorthi,
Theeran Chinnamalai Powerloom Weavers'
Co-operative Production and Sales
Society Limited E.H.219

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to initiate appropriate action against the respondents 3 and 4 on the representation of the petitioner herein dated 28.04.2014 and recover the yarns and Society's Register, which is under the custody of the respondents 3 and 4 and take suitable action for issuing the work order of production of Free Uniform, Dhoti and sarees to the non-members of the society, for the year 2012-2013 and recover its loss suffered by the society from the respondents 3 and 4 within a reasonable period as fixed by this Court.

For Petitioner : M/s.R.Nalliyappan

For R1 : Mr.T.Girija,
Government Advocate

For R2 : Mr.Santhosh Kumar
for M/s.Jayaraman & Associates

For R3 & R4 : No Appearance

O R D E R

The petitioner has filed this Writ Petition praying to direct the 1st respondent to initiate appropriate action against the respondents 3 and 4 on the representation of the petitioner herein dated 28.04.2014 and recover the yarns and Society's Register, which is under the custody of the respondents 3 and 4 and take suitable action for issuing the work order of production of Free Uniform, Dhoti and sarees to the non-members of the society, for the year 2012-2013 and recover its loss suffered by the society from the respondents 3 and 4, within a reasonable period as fixed by this Court

2. The learned counsel appearing for the petitioner has submitted that the petitioner has made a representation to the 1st respondent on 28.04.2014, for the irregularities committed by the 3rd and 4th respondents. So far no action has been taken by the first respondent. Therefore, the petitioner has filed the present Writ Petition.

3. The learned counsel appearing for the petitioner at the time of hearing has submitted that it is suffice to direct the 1st respondent to consider the aforesaid representation dated 28.04.2014 and pass orders within the time frame, that may be fixed by this Court.

4. The learned counsel appearing for the first respondent has submitted that the said representation will be considered, on merits and in accordance with law.

5. Considering the facts and circumstances of the case and as the 3rd and 4th respondents have denied the said allegations found in the representation made by the petitioner and also taking into account the limited scope prayed by the learned counsel for the petitioners, this Court will not go in to the merits of the case. However, taking into consideration the allegations made in the representation, this Court directs the 1st respondent to consider the representation dated

28.04.2014, on merits and in accordance with law, and to pass orders, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to submit one more representation along with a copy of this order.

6. With the above observation and direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Director of Handloom and Textiles,
Office of Director of Handloom and Textiles,
Chennai - 108.

2.The Chairman, Head Office,
Co-optex, Pantheon Road,
Egmore, Chennai -08.

+lcc to Mr.R.Nalliyappan, Advocate, S.R.No.14994
+lcc to M/s.Jayaraman & Associates, Advocate, S.R.No.15393
+lcc to the Government Pleader, S.R.No.15014

W.P. No. 14393 of 2014

KK(CO)
CA(03/04/2017)

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