

HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.2444 of 2017 &
W.M.P.No.2442 of 2017

S.Viswanathan

...petitioner

Vs.

1. The Secretary to Government
Handlooms, Handicrafts,
Textiles and Khadi Department,
Government of Tamilnadu,
Fort.St. George,
Chennai - 600 009.
2. The Director,
Handlooms and Textile Yarn
Kuralagam, II Floor,
Chennai - 108.
3. The Assistant Director,
Handlooms, Handicrafts,
Textiles and Khadi Department,
Venkikal, Tiruvannamalai -606 601.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned letter issued by the second respondent in his office Ref: Na.Ka.No.34672/2015/H1-1, dated 19.01.2017 quash the same and directing the second respondent to order fresh enquiry after the submission of the audit report by the cooperative Audit Department, Government of Tamilnadu within the time that may be fixed by this Court.

For Petitioner : Mr.P.Mani

For Respondents : Ms.T.Girija,
Government Advocate

ORDER

According to the learned counsel for the petitioner, the petitioner has not received the enquiry report. Without furnishing the enquiry report, the impugned order has been passed by the second respondent. Challenging the impugned order, the present writ petition has been filed before this Court.

2. The learned Government Advocate would submit that the impugned order has been passed by the respondent only on the basis of the representation made by the petitioner. Further, according to the learned Government Advocate, enquiry has been conducted under Section 81 of the Tamil Nadu Co-operative Societies Act and the enquiry is still pending with the department. No final order has been passed under Section 87 of the said Act. On the basis of the present order, the respondent will not initiate recovery proceedings against the petitioner until the final order to be passed by the second respondent under Section 87 of the said Act.

3. Recording the submission made by the learned Government Advocate, the writ petition is disposed of. No costs. consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS V.)

/true copy/

Sub Asst. Registrar

dm/vaan

To

1. The Secretary to Government
Handlooms, Handicrafts,
Textiles and Khadi Department,
Government of Tamilnadu,
Fort.St. George,
Chennai - 600 009.

2. The Director,
Handlooms and Textile Yarn
Kuralagam, II Floor,
Chennai - 108.

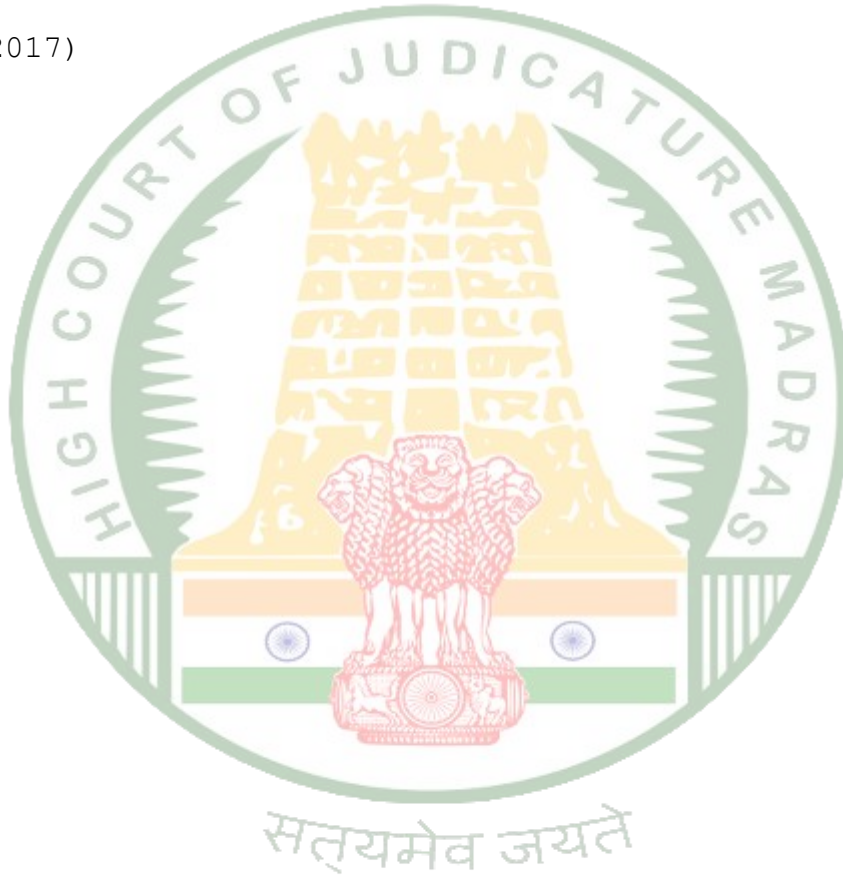
3. The Assistant Director,
Handlooms, Handicrafts,
Textiles and Khadi Department,
Venkikal, Tiruvannamalai -606 601.

+1cc to the Government Pleader, Sr. 45889

+1cc to M/s.P.Mani, Advocate Sr. 45015

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AR(V)
VR(13/07/2017)



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