

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16640 of 2017
and
W.M.P.Nos.18023 & 18024 of 2017

N.Nallappan

... Petitioner

vs

1. The Deputy Registrar of Cooperative Societies,
Ariyalur Circle, Ariyalur District.
2. The President,
Eluppaiyur Primary Agricultural,
Cooperative Credit Society,
Eluppaiyur Village,
Ariyalur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.2662/2014/Vae.Sae.Sa, dated 12.06.2017 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram

O R D E R

The apprehension raised by the writ petitioner in this Writ Petition is that he is likely to be placed under suspension by the second respondent from the service.

2. The only material produced before this Court by the writ petitioner is the letter sent by the first respondent to the second respondent on 12.06.2017, stating that pursuant to the enquiry report under the provisions of the Tamil Nadu Co-operative Societies Act, 1983, action to be initiated.

3. It is the routine letter to be communicated by the Deputy Registrar to the Societies concerned under the provisions of the Tamil Nadu Co-operative Societies Act, 1983, an enquiry, if any, conducted under Section 81 of the Tamil Nadu Co-operative Societies Act. On receipt of the same, it is the duty of the authorities concerned to communicate the same to the concerned societies for initiating appropriate action against the irregularities, if any, committed by any of the employee of the Co-operative Societies.

4. Therefore, such an internal communication sent by the first respondent to the second respondent cannot constitute a cause to move this Court under Article 226 of the Constitution of India. In other words, the writ petitioner is not yet aggrieved and if any action is initiated against the writ petitioner, then only he can move for seeking a remedy under the Act, before the appropriate forum. Therefore, no cause is made out in the present writ petition and mere likelihood of placing the writ petitioner under suspension cannot be a ground to entertain the present Writ Petition.

5. Accordingly, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. However no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ah/rpa

To

+1cc to Mr.C.Prakasam, Advocate, S.R.No.46348
+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.46195
+1cc to the Government Pleader, S.R.No.46572

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CS/20/07/17