

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2017

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.17564 of 2017

D.Velmurugan,
Director,
ZB 130, Sethirabalapuram,
Primary Agriculture Co-operative
Credit Society Ltd.,
Agaraharm, Sethirabalapuram,
Thiruvelvikudi, Vanathirajapuram Post,
Kuthalam Taluk,
Nagapattinam District. Petitioner

Vs.

The Registrar of Co-operative Societies,
Office of the Co-operative Societies,
E.V.R. Periyar Salai,
Kilpauk,
Chennai-600 010. Respondent

PRAYER:

The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 28.06.2017.

For petitioner : Mr.R.Naresh Kumar

For respondent : Mr.V.Selvaraj,
Additional Government Pleader

ORDER

According to the learned counsel for the petitioner, the petitioner is the Director of ZB 130, Sethirabalapuram, Primary Agriculture Cooperative Credit Society Ltd. The petitioner had brought to the notice of the Deputy Registrar of Cooperative Societies of Myladudurai about one, Kodiarasan who indulged in malpractices by way of illegally sanctioning

agricultural loans to persons who were not supposed to be benefited. In this regard, it had been informed that an enquiry would be conducted on 16.06.2017, but due to non-appearance of the petitioner, the same had been adjourned to 21.06.2017 when C.S.R was not available and again, adjourned to 22.06.2016. On that day, when the petitioner appeared before the Enquiry Officer, the petitioner was insisted to sign in an already prepared statement showing that no loan was due to the Society. Even though the petitioner produced relevant documents to prove the allegations made on the above person, the Enquiry Officer was not interested to enquire into the matter on seeing that the person was to retire in a short period. Hence, the petitioner filed a suit in this regard, but the same was rejected on the reason of not maintainable. Finally, the petitioner represented to the respondent on 28.06.2017 to take action against the alleged person who was to retire from service on 30.06.2017. Even after the retirement of the person, the respondent has not come forward to take action under Section 81 of the Cooperative Societies Act, 1983. Hence, the petitioner has approached this court for the above prayer.

2. The learned Government Advocate would submit that the petitioner made the representation only on 28.06.2017. Hence, the aforesaid prayer is not entitled to be entertained at this earlier point of time. However, the same shall be considered by the respondent in accordance with law for passing appropriate orders.

3. Considering the above said facts and circumstances of the case and also the petitioner has approached this Court without waiting for passing orders by the respondent, without going into the merits of the case, and in view of the submission made by the learned Government Advocate that the petitioner's representation will be considered in accordance with law, the respondent is directed to consider the petitioner's representation dated 28.06.2017 on merits and in accordance with law and pass orders as expeditiously as possible within a period of eight weeks from the date of receipt of a copy of this Order.

4. The writ petition is disposed of with above direction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Registrar of Co-operative Societies,
Office of the Co-operative Societies,
E.V.R. Periyar Salai,
Kilpauk,
Chennai-600 010.

+lcc to Mr.S.Ilamvaludhi, Advocate, S.R.No.47952
+lcc to the Government Pleader, S.R.No.48810

W.P. No.17564 of 2017

MN(CO)
CA(31/08/2017)



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