



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.R.C (MD) No.643 of 2017

Ramamoorthy

... Petitioner

Vs.

1. Raju
Secretary (Rtd.,)
M.M.348, Goundanpatti Primary Agriculture
Cooperative Credit Society,
Paluvanchi Post, Kallamedu via.,
Goundanpatti, Marungapuri Taluk,
Trichy District.

2. Maaratchi
Deputy Registrar,
Cooperative Societies,
149, Mill Gate,
Town Bazaar, Karur.

3. K.M.K.Mangala Packeer Mohamed
Cooperative Sub Registrar (Rtd.,)
Pathamadai, Town Panchayat,
Palayamkottai via.,
Tirunelveli District.

... Respondents

Petition filed under Sections 397 read with 401 Cr.P.C, to call for the records pertaining to the order of the Judicial Magistrate, Manapparai made in Cr.M.P.No.6008 of 2016 dated 03.03.2017 and set aside the same as illegal.

For Petitioner : Mr.T.Vadivelan

ORDER

Challenging the order, dismissing the petitioner's application filed under Section 203 Cr.P.C., this Criminal Revision Case has been filed.

2.The petitioner was working as a salesman in the first respondent Cooperative Society. The first respondent/Secretary, who was having previous enmity with the petitioner, passed a resolution and removed the petitioner from service. The respondents 2 and 3, the Deputy Registrar and Sub Registrar of Cooperative Societies/Enquiry Officers, have also not taken any action against



the first respondent. Alleging that all the respondents have committed offences under Sections 477(A), 468, 469, 471, 34 and 120 (B) IPC, the petitioner has filed a petition under Section 156(3) Cr.P.C., seeking a direction to forward the complaint to the Inspector of Police, District Crime Branch, Tiruchirapalli to register the complaint. The above petition was dismissed by the Court below. Challenging the same, the present Criminal Revision Case has been filed.

3. Heard Mr.T.Vadivelan, learned counsel for the petitioner and perused the records carefully.

4. Earlier, the petitioner has given various complaints before various authorities under the Cooperative Societies Act, based on which, a Special Investigation Officer was appointed and after conducting enquiry, he filed reports. From the perusal of the reports, it could be seen that the petitioner has taken leave frequently. It is also seen from the reports that the petitioner has submitted his resignation letter on 13.01.1996, but the Society has not taken any action on the alleged resignation of the petitioner. Therefore, it is quite clear that already enquiry was conducted by the competent authority and reports have also been filed. In the said circumstances, no *prima facie* case is made out to direct the police to register a criminal case.

5. The Court below after considering the materials available on record has rightly dismissed the petition. I find no illegality or infirmity in the order passed by the Court. Hence, this Criminal Revision Case deserves dismissal.

6. In fine, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Manapparai.
2. -do- through The Chief Judicial Magistrate, Trichy District.

+ 1 CC TO Mr.T.VADIVELAN, ADVOCATE IN SR No. 71923
+ 1 CC TO M/s.I.DINESH DEEPA, ADVOCATE IN SR No. 71816

MJ

TE/MR-KKR/SAR-I : 21/09/2017 : 2P/5C

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