



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.07.2017
CORAM :
THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P (MD) No.12841 of 2017
and
W.M.P. (MD) No.9937 of 2017

M.Meenakshi Sundaram

Secretary,

Q1285 Kavadiatti Primary Agricultural

Cooperative Credit Society,

Kavadiatti Post, Kamuthi Taluk,

Ramnad District.

... Petitioner

vs.

1.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Singarathoppu, Paramakudi Post,
Ramanathapuram District.

2.U/Sec.81 Enquiry Officer,
Q285 Kavadiatti Primary Agriculture,
Cooperative Credit Society,
Office of the Deputy Registrar of Cooperative Societies,
Singarathoppu, Paramakudi Post,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, call for the records from the 1st respondent relating to the impugned order passed by the 1st respondent made in Na.Ka.No.1690/2017 Tho.Ve.Ku.Ka.Sa dated 15.06.2017 and quash the same as illegal.

For Petitioner : Mr.C.G.Pethanaraj

For Respondents : Mr.Raja Karthikeyan

Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The present writ petition is directed against the impugned notice dated 15.06.2017, served only on the Secretary of the Societies.

3. The petitioner is the Secretary of the Kavadiatti Primary Agricultural Cooperative Credit Society. Taking advantage of his position, being the Secretary, the petitioner has come to this

Court to stall the enquiry under Section 81 of the Cooperative Societies Act, 1983.

4. When the Deputy Registrar of Co-operative Societies/first respondent has decided to conduct enquiry under Section 81 of the Cooperative Societies Act to find out any irregularities have taken place in the petitioner's Society, instead of appearing before the Enquiry Officer and prove his innocence, the Secretary cannot come to this Court, as he has no locus standi at this stage. Hence, this Court finds no merit in this writ petition.

5. Accordingly, the writ petition fails and the same is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(RTI)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Singarathoppu, Paramakudi Post,Ramanathapuram District.

2.U/Sec.81 Enquiry Officer,
Q285 Kavadiatti Primary Agriculture,
Cooperative Credit Society,
Office of the Deputy Registrar of Cooperative Societies,
Singarathoppu, Paramakudi Post, Ramanathapuram District.

+1cc to M/S.R.SARAVANAN, Advocate SR.No.64732

+1cc to Special Government Pleader, SR.No.65273

Mrn/RR

MAS/KP/SAR2:27.07.2017:2P-5C

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