



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.15007 of 2017

M.C.Servai

.. Petitioner

Vs.

1.The Secretary to Government,
Co-operative Department,
Secretariat, Chennai 14.

2.The Co-operative Registrar,
Tamil Nadu Government Co-operative Societies,
Chennai.

3.The Joint Registrar,
The Joint Registrar Office,
Primary Agricultural Co-operative Bank,
Theni, Theni District.

4.The District Registrar [Co-operative],
Primary Agricultural Co-operative Bank,
Andipatti Taluk, Theni, Theni District.

5.The Deputy Superintendent of Police,
CBCID, Theni, Theni District.

6.The Sub-Registrar,
Primary Agricultural Co-operative Bank,
Kadamalaikundu, Andipatti Taluk,
Theni District.

7.M.S.Ramar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary action against the seventh respondent for the illegalities committed by him by holding the post as President of Primary Agricultural Co-operative Bank, Varusanadu, Theni District, based on the representation of the petitioner dated 21.06.2017.

For petitioner : Mr.C.Senthilmurugan

For respondents 1 to 6 : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

**O R D E R**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

There is nothing on record to indicate the alleged misappropriation by the seventh respondent. There is no question of directing the respondents 1 to 4 to take action against the seventh respondent, unless the petitioner is in a position to produce *prima facie* materials justifying the act of misappropriation. We, therefore, do not find any reason to issue a Writ of Mandamus, as prayed for by the petitioner. However, we make it clear that this order would not stand in the way of the petitioner from approaching the appropriate authorities with sufficient materials, indicating the misappropriation committed by the seventh respondent.

2. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Secretary to Government,
Co-operative Department,
Secretariat, Chennai 14.
- 2.The Co-operative Registrar,
Tamil Nadu Government Co-operative Societies,
Chennai.
- 3.The Joint Registrar,
The Joint Registrar Office,
Primary Agricultural Co-operative Bank,
Theni, Theni District.
- 4.The District Registrar [Co-operative],
Primary Agricultural Co-operative Bank,
Andipatti Taluk, Theni, Theni District.
- 5.The Deputy Superintendent of Police,
CBCID, Theni, Theni District.
- 6.The Sub-Registrar,
Primary Agricultural Co-operative Bank,
Kadamalaikundu, Andipatti Taluk,
Theni District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.72607

NB

JS/GT/SAR.2/29.08.2017/2P-8C