

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.6557 of 2018
and
WMP.No.8149 of 2018

V.Sabanathan
S/o.Velayutha Mudaliar .. Petitioner

Vs.

1. The Joint Registrar of Cooperative Societies
Villupuram.
2. The Deputy Registrar / Managing Director
Villupuram Co-operative Urban Bank
No.149, Thiru.Vi.Ka.Road
Villupuram District
Pin - 605 602. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to dispose of the petitioner's representation dated 02.11.2017 and 14.12.2017 seeking furnishing of documents to the petitioner by the respondents.

For Petitioner : Mr.R.Karunakaran
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

W R D E R

Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider his representations dated 02.11.2017 and 14.12.2017, wherein and whereby, he sought for furnishing certain documents in connection with an enquiry being conducted

under Section 81 of the Tamil Nadu Cooperative Societies Act.

3. The learned Special Government Pleader for the respondents submitted that the petitioner can very well peruse the documents at the time of conducting enquiry.

4. Needless to say that the respondents, if want to rely upon certain documents for conducting an enquiry under the above said provisions of law, should furnish the copy of the same to the delinquent, so that he will be in a position to defend the enquiry in an effective manner. Certainly, the petitioner cannot be taken by surprise, by showing some documents at the time of enquiry. Therefore, in the interest of justice, the respondents should consider the request of the petitioner and furnish the copies of such documents which they want to rely upon at the time of enquiry. Accordingly, this writ petition is disposed of, only by directing the respondents to dispose of the above said representation filed by the petitioner before proceeding further with the enquiry. Such exercise shall be done by the third respondent within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Registrar of Cooperative Societies
Villupuram.

2. The Deputy Registrar / Managing Director
Villupuram Co-operative Urban Bank
No.149, Thiru.Vi.Ka.Road
Villupuram District
Pin - 605 602.

+1cc to Mr.R.karunagaran, Advocate, S.R.No.22394

+1cc to Mr.L.P.Shanmugasundaeam, Advocate, S.R.No.22698

+1cc to the Government Pleader, S.R.No.22331

W.P.No.6557 of 2018

ss (CO)

GSP(04/04/2018)