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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos.2366 and 2403 of 2018

and

W.M.P. (MD) Nos.2568 and 2618 of 2018

M.Raj .. Petitioner in W.P.2366/2018
M.Thangam .. Petitioner in W.P.2403/2018
Vs.

1.Enquiry Officer,
under Section 81 of Tamil Nadu
Co-op. Societies Act,
Co-operative Sub-Registrar,
Munchirai block,
Kanyakumari District.

2.Karungal Primary Agricultural
Co-op. Credit society,
represented by its President,
E.Sam Titus Mani
Karungal 629 517
Kanyakumari District.

3.S.Appolonius
Domestic Enquiry Officer,
1-06, Mary Bhavan,
South of Amala Convent,
Thuckalay 629 105,
Kanyakumari District.

... Respondents

COMMON PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to provide the copies of documents to the petitioners vide their representations dated 10.01.2018.

For Petitioners
(in both Cases)

: Mr.M.N.Ramkumar

For Respondents
(in both Cases)

: Mr.K.Saravanan,G.A. For R1

O R D E R

Heard the learned Counsel on either side.

2.The learned counsel for the petitioners fairly submits that the writs of this nature may not be maintainable. But, he calls upon this Court to issue a direction to the second respondent to furnish the documents sought for by them.



3.The second respondent has initiated disciplinary action against the petitioners. Domestic enquiry is posted on 08.02.2018. It is the duty of the disciplinary authority to make available all the documents that are relied upon by the disciplinary authority.

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4.In the present case, the petitioners herein have in their representations requested the disciplinary authority to make available certain documents that are part of the enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act.

5.Finding justification in the request made by the writ petitioners, this Court directs the second respondent to furnish copies of documents sought for by them.

6.The writ petitions are allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

Enquiry Officer,
under Section 81 of Tamil Nadu
Co-op. Societies Act,
Co-operative Sub-Registrar,
Munchirai block,
Kanyakumari District.

+2cc to M/S.M.N.Ramkumar, Advocate SR.No. 46409, 46407

ORDER MADE IN
W.P. (MD) Nos.2366 and 2403 of 2018
and
W.M.P. (MD) Nos.2568 and 2618 of 2018
06.02.2018

Arul
JM/SV MMS/SAR 4/06.02.2018/2P/4C