



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

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W.P. (MD) No.7517 of 2018

M.Joseph Raj

... Petitioner

Vs.

- 1.The Registrar Co-operative Societies,  
N.B.Nadarajan Maligai,  
No.170, Periyar, EVR High Road,  
Kilpauk, Chennai-10.
- 2.The Joint Registrar of Co-operative Societies,  
Nagercoil, Kanyakumari District.
- 3.The Deputy Registrar of Co-operative Societies,  
Thuckalay,  
Kanyakumari District.
- 4.K.V.90, Karungal Primary agricultural Co-operative  
Credit Society Ltd.,  
Karungal,  
represented by its Secretary.

5.Mr.Titus

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1 to 3 to complete enquiry under section 81 of the Tamilnadu Co-operative Society Act, which was ordered against the irregularities occurred in the fourth respondent society, forthwith and consequently direct the respondents 1 to 3 to act in accordance with law on the basis of representation.

For Petitioner : Mr.K.P.Narayanakumar  
For R1 to R3 : Mr.V.Anand  
Government Advocate

For R4 : Mr.D.Muruganandam  
Additional Government Pleader

For R5 : No appearance

ORDER

The limited prayers sought for is for a direction to the respondents to complete the enquiry under Section 81 of the Co-operative Societies Act within a stipulated time.

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2. It is submitted by the learned counsel for the petitioner that the enquiry which commenced in the month of November, 2017, is still pending. Under Section 81(4) of the Tamilnadu Co-operative Societies Act, the enquiry has to be completed within a period of three months and on permission of the higher authority, it shall not exceed a period of six months in the aggregate. As such the pendency of the enquiry under Section 81 of the said Act, for the past four months is opposed to the Section 81(4) of the Tamil Nadu Co-operative Societies Act.

3. Under these circumstances, there shall be a direction to the second respondent to complete the enquiry against the petitioner under Section 81 of the Tamilnadu Co-operative Societies Act, within a period of two months from the date of receipt of a copy of this Order and pass appropriate orders on its own merits and in accordance with law.

4. With these observations, this writ petitions stands disposed of. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

/True Copy/

Sub Assistant Registrar

To

1.The Registrar Co-operative Societies,  
N.B.Nadarajan Maligai,  
No.170, Periyar, EVR High Road,  
Kilpauk, Chennai-10.

2.The Joint Registrar of Co-operative Societies,  
Nagercoil, Kanyakumari District.

3.The Deputy Registrar of Co-operative Societies,  
Thuckalay,  
Kanyakumari District.

+1cc to Mr.K.P.Narayanakuamr, Advocate, SR.No.60111

+1cc to Mr.D.Muruganantham, Advocate, SR.No.60088

pnn

RL/6C/2P/SKN/RSK/SAR1/20/4/2018

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