



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD)No.8843 of 2018

and

W.M.P (MD) Nos.8267 & 8268 of 2018

WEB COPY

1.N.Packiyam
2.A.Vanitha
3.R.Sankar

... Petitioners

-Vs-

1. The Joint Registrar of Co-operative Societies,
Sivagangai District,
Sivagangai.
2. The Deputy Registrar of Co-operative Societies,
Sivagangai Circle,
Sivagangai District,
Sivagangai.
3. The Co-operative Sub Registrar/Enquiry Officer,
O/o. The Deputy Registrar of Co-operative Societies,
Sivagangai Circle,
Sivagangai District,
Sivagangai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned enquiry report filed by the third respondent dated 16.02.2018 and consequential notice issued by the second respondent made in Na.Ka.No.1635/17/SaPa dated 03.04.2018 and quash the same.

For Petitioners : Mr.D.Sadiq Raja
For R1 & R2 : Mr.N.Shanmuga Selvam
Additional Government Pleader
For R3 : No appearance

ORDER

The petitioners state that they are the members of the Sooranam Primary Agricultural Co-operative Credit Society. The petitioners challenge the impugned enquiry report of the third respondent, dated 16.02.2018 as well as the consequential notice issued by the second respondent taken under Section 87 of the Tamil Nadu Co-operative Societies Act. The surcharge proceedings initiated has been withdrawn by the Deputy Registrar, Sivagangai.



2. In view of the withdrawal of the surcharge proceedings, the learned Additional Government Pleader appearing for the respondent Nos.1 and 2 states that the writ petition has become infructuous.

3. Recording the statement of the learned Additional Government Pleader appearing for the respondent Nos.1 and 2, this writ petition is dismissed as infructuous. However, it is made clear that the petitioners are entitled to agitate their right as members of the Society, in case any further proceeding is initiated against the petitioners in future. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar of Co-operative Societies,
Sivagangai District,
Sivagangai.
2. The Deputy Registrar of Co-operative Societies,
Sivagangai Circle,
Sivagangai District,
Sivagangai.

+1cc to Mr.D.Sadiq Raja, Advocate SR.No.68662

RMI

VB/PN/SAR2/04.07.2018/2P/4C

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