

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2019

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.8396 of 2005

And

W.P.M.P.No.9066 of 2005

V.Somasundaram

...Petitioner

Vs

1.The Deputy Registrar of Co-op. Societies,
Erode Region,
Erode.

2.The Enquiry Officer/
Co-op. Sub Registrar (Package),
C/o.Dharapuram Agricultural Producers
Co-op. Marketing Society,
Dharapuram,
Erode District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.No.Nil, dated 6.12.2004 in so far as the petitioner herein is concerned and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mrs.T.Girija,
Government Advocate (Co-op.).

O R D E R

The order impugned passed by the second respondent in proceedings dated 6.12.2004, is under challenge in the present writ petition.

2. The impugned order is nothing but an enquiry submitted by the Enquiry Officer. On account of certain allegations, the disciplinary proceedings were initiated against the writ petitioner and the Enquiry Officer/Co-operative Sub Registrar (Package), Dharapuram Agricultural Producers Co-op.

Marketing Society, submitted a report, which is under challenge in the present writ petition.

3. The Enquiry Officer of the Co-operative Society, pursuant to the order, conducted an enquiry and submitted a report. The enquiry report is nothing but recommending the case of the writ petitioner for initiation of the disciplinary proceedings. The said report would not constitute a ground for the writ petitioner to file the present writ petition. If at all any defect or otherwise in the enquiry report, it is left open to the writ petitioner to submit his objections/explanations on the enquiry report. If any further actions are initiated and if an order is passed by the competent authority, then alone the writ petitioner has to prefer an appeal/revision under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. As the impugned order in the present writ petition is only an enquiry report, the writ petition deserves no further consideration.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Svn

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Registrar of Co-op. Societies,
Erode Region,
Erode.

2. The Enquiry Officer/
Co-op. Sub Registrar (Package),
C/o.Dharapuram Agricultural Producers
Co-op. Marketing Society,
Dharapuram,
Erode District.

WP No.8396 of 2005

rk(CO)
kak(11/03/2019)