

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29761 of 2019
and W.M.P.No.29659 of 2019

1.R.Selva Arasu
2.A.Venkatesan
3.S.Elayaraja
4.Mohanasundaram
5.V.C.Manikandan
6.P.Dhandapani

... Petitioners

-vs-

1.The Director,
Khadi and Village Industries,
326, Avvai Shanmugam Salai,
Gopalapuram, Chennai-600 086.

2.Thiruppattur Sarvodaya Sangh,
Rep., by it Secretary,
87, Gandhi Road,
Thiruppattur, Vellore District.

... Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first respondent herein to act upon the representations of the petitioner dated 28.02.2019, 14.03.2019, 25.06.2019 and 05.09.2019 and accordingly conduct an independent enquiry into the affairs of the second respondent Sangam and consequently recover the amount that has been misappropriated from the account of the second respondent Sangam and take necessary action against the office bearers of the second respondent Sangam and thereby safeguard the interest of the second respondent Sangam within a time frame to be fixed by this Court.

For Petitioners : Ms.Dakshayani Reddy

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this petition seeking writ of mandamus directing the first respondent to act upon the representations dated 28.02.2019, 14.03.2019, 25.06.2019 and 05.09.2019 and conduct independent enquiry into the affairs of the second respondent Sangam and consequently recover the amount that has been misappropriated from the account of the second respondent Sangam and take necessary action against the office bearers of the second respondent Sangam and thereby safeguard the interest of the Sangam within a time frame. The case of the petitioner is that the Sangam was established and registered with the Registrar of Societies in the year 1989. The petitioner's grievance is that the Office Bearers of the Society misappropriated the amount from the account of the society, thereby the petitioners made representations dated 28.02.2019, 14.03.2019, 25.06.2019 and 05.09.2019, but the same have not been considered so far. Hence, the petitioners have filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioners submitted that it would suffice, if a direction is issued to the first respondent to consider the representations of the petitioners dated 28.02.2019, 14.03.2019, 25.06.2019 and 05.09.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the first respondent to consider the petitioners' representations dated 28.02.2019, 14.03.2019, 25.06.2019 and 05.09.2019 and pass orders on merits after affording opportunity to the aggrieved persons and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

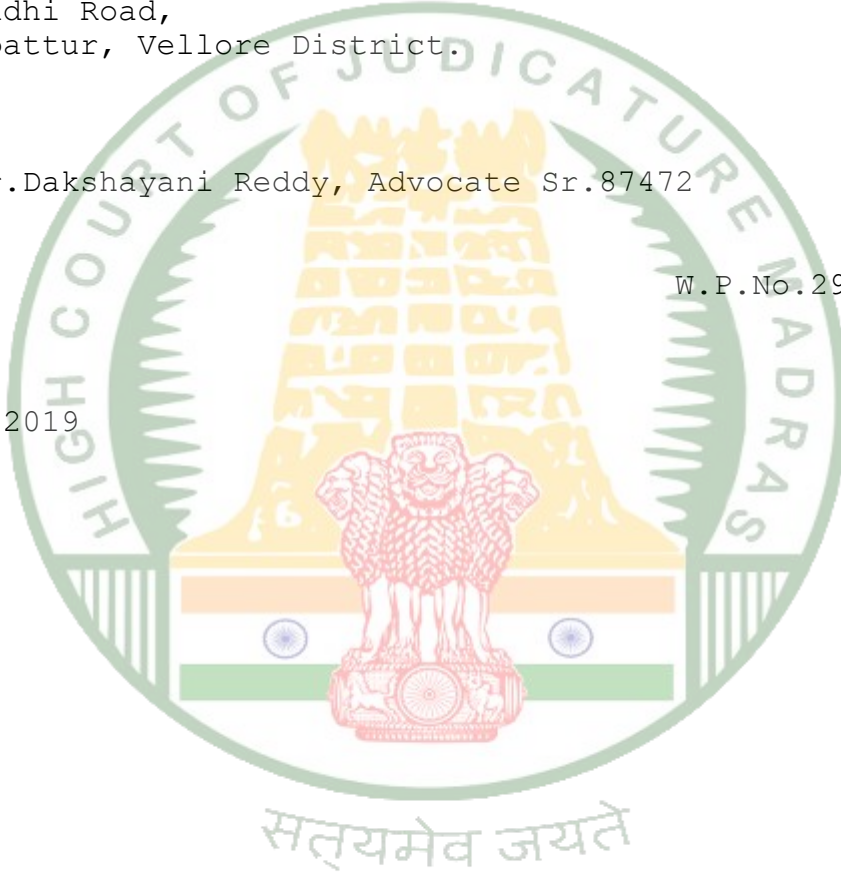
1.The Director,
Khadi and Village Industries,
326, Avvai Shanmugam Salai,
Gopalapuram, Chennai-600 086.

2.The Secretary,
Thiruppattur Sarvodaya Sangh,
87, Gandhi Road,
Thiruppattur, Vellore District.

+1cc to Mr.Dakshayani Reddy, Advocate Sr.87472

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srg 26/11/2019



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