

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.12.2019

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.33669 of 2019 & WMP.No.34130 of 2019

E2034 Vriddhachalam Co-operative  
Building Society Ltd., NRS Building  
Erikkarai Street, Vriddachalam-606001  
Cuddalore District. Rep. by its  
Secretary S.Kumaran ...Petitioner  
Vs

- 1.The Deputy Registrar of Co-operative  
Societies (Housing), Cuddalore Region,  
O/o.Regional Co-operative Societies  
(Housing), South Kavarai Street,  
Manjakuppam, Cuddalore
- 2.The Enquiry Officer/Co-operative  
Sub-Registrar (HMS) Regional  
Co-operative Housing Societies,  
South Kavarai Street, Manjakuppam,  
Cuddalore ...Respondents

PETITION under Article 226 of The Constitution of India  
praying for the issuance of a Writ of Certiorari to call for the  
records of the first respondent culminating in passing of the  
impugned proceedings in Na.Ka.869/2019/ Na.Ve.Va dated  
18.10.2019 and quash the same.

For Petitioner : Mr.P.P.Shanmugasundaram  
For Respondents: Ms.T.Girija, GA

ORDER

Ms.T.Girija, learned Government Advocate accepts notice for  
the respondents. Heard both.

2. The petitioner has impugned the notice issued by the  
respondent under Section 82 of the Tamil Nadu Cooperative  
Societies Act, 1983.

3. Admittedly, the enquiry proposed to be conducted is a  
fact finding enquiry and is not directed against any particular  
individual. Therefore, the petitioner society, represented by

its elected body, should cooperate with the enquiry proceedings and there is no ground to challenge such proceedings by filing a writ petition. For such a reason, it is held that the writ petition is not maintainable.

4. Accordingly, the writ petition is dismissed. However, it is open to the petitioner society to place all the materials before the Enquiry Officer including the resolution passed by the elected board. No costs. Consequently, the connected WMP is also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Registrar of Co-operative Societies (Housing),  
Cuddalore

Region, O/o.Regional Co-operative Societies (Housing), South  
Kavarai

Street, Manjakuppam, Cuddalore

2.The Enquiry Officer/Co-operative Sub-Registrar (HMS) Regional  
Co-operative Housing Societies, South Kavarai Street,  
Manjakuppam,  
Cuddalore

+1cc to Mr.P.P.Shanmugasundaram , Advocate SR.No. 100516

+1 cc to Spl Government Pleader Co op Sr.No. 100696

WP.No.33669 of 2019&

WMP.No.34130 of 2019

A.SK(07/01/2020)

सत्यमेव जयते

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