

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25-03-2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 26773 of 2018

B.Ramdass

... Petitioner

Vs

1. The State Rep. By,
The Joint Registrar,
Office of the Co-operative Joint Registrar,
Vanthavasi Mani Road,
Collector Office Opposite,
Kancheepuram.
2. The Deputy Registrar,
Office of the Co-operative Deputy Registrar,
Chengalpattu,
Kancheepuram.
3. Nandha Gopal
II. 113 Illalur Primary Agricultural
Co-operative Credit Society LTD.
Illalur Village,
Kancheepuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated on 19.09.2018 within the time prescribed by this Court.

For Petitioner : Mr.P.Subba Reddy

For Respondents: Mr.L.P.Shanmugasundaram

R 1 & 2

Special Government Pleader (co-op)

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O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to consider the representation dated 19.09.2018.

2. The grievances of the writ petitioner is that the third respondent who was working in the Illalur Primary Agricultural Co-operative Credit Society Limited had committed

misappropriation and abused the funds of the Co-operative Society. The writ petitioner being a member of the Co-operative Society submitted a complaint to the authorities competent to initiate action against the third respondent for misappropriation, and since no action was taken, the writ petitioner is constrained to move the present writ petition.

3. The learned Special Government Pleader (Co-operative) appearing on behalf of the respondents states that the third respondent had already been transferred to the other Co-operative Societies. However, it is not made clear that whether the actions are taken in respect of the allegations of misappropriation or not.

4. The authorities competent namely respondents 1 and 2 are bound to initiate action in respect of the misappropriations, irregularity or illegality if any occurred in the Co-operative Society. The respondents 1 and 2 are empowered to order for an enquiry under Section 83 or under Section 81 and identify the irregularity or illegality / misappropriation etc and initiate action against all the persons who are all responsible for the financial loss to the co-operative society.

5. This being the procedures to be followed, the respondents 1 and 2 are directed to look into the complaints submitted by the writ petitioner and initiate the appropriate action based on the provisions of the Tamil Nadu Co-operative Society Act Rule.

6. The writ petitioner is at liberty to submit the additional submission or complaint in respect of the allegations or misappropriations or financial loss to the Co-operative Society.

7. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssb/kmm

+lcc to Government Pleader sr.no.28565
+lcc to Mr.P.Subba Reddy, Advocate sr.27863

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