

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-03-2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 34235 of 2018

K.Chinnasamy

... Petitioner

Vs

1. The Joint Registrar of Coop. Societies
Erode Region, Erode District.
 2. The Deputy Registrar of Coop. Societies
Erode Circle, Erode District.
 3. AA.528, Vazhaithottam Primary Agricultural
Coop. Credit Society Ltd., rep by its President,
Sivagiri Via-638 109, Erode District.
 4. The Inspection Officer (appointed U/s.82 of
T.N.Cooperative Societies Act)/
The Coop. Sub-Registrar/Field Officer
Kodumudi, Erode District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to pass necessary follow-up orders pursuant to his proceedings in Na.Ka.2217/2017/PACB dated 04.07.2017 regarding the inspection/investigation under Section 82 of the Tamil Nadu Cooperative Societies Act, 1983 in respect of affairs of the 3rd respondent society conducted by the 4th respondent, within a time fixed by this Court.

For Petitioner : Mr.K.Prem Kumar

For Respondent : Mr.L.P.Shanmugasundaram
Special Government Pleader (Co-op)

O R D E R

The relief sought for in the present writ petition for a direction to direct the second respondent to pass

necessary follow-up orders pursuant to his proceedings dated 04.07.2017 regarding the inspection under Section 82 of the Tamil Nadu Cooperative Societies Act, 1983 in respect of affairs of the third respondent society conducted by the 4th respondent.

2. Admittedly, the competent authority ordered for an inspection in respect of the affairs of the third respondent cooperative society under Section 82 of the Tamil Nadu Cooperative Societies Act, 1983.

3. The grievances of the writ petitioner is that though such an inspection was ordered on 04.07.2017, no further action has been taken and the final report on the inspection is yet to be submitted. The learned counsel for the petitioner further states that on account of the pendency of the inspection proceedings, he is unable to get his service benefits.

4. The learned Special Government Pleader appearing on behalf of the respondents states that the inspection was ordered on account of the large scale irregularities and therefore, the inspection ought to be concluded without any undue delay.

5. Considering the arguments, this Court is of an opinion that once the statutory enquiry has commenced, the said proceedings must be concluded within a reasonable period of time. The statutory period is prescribed as six months. Such a period has already lapsed. Under these circumstances, the respondents 1,2 and 4 are directed to proceed with the inspection, already ordered under Section 82 of the Tamil Nadu Co-operative Societies Act, 1983 in proceedings dated 04.07.2017, and concluded the same and submit a final report to the authority concerned within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of.
No costs.

ssb

Sd/--

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The Joint Registrar of Coop. Societies
Erode Region, Erode District.

2. The Deputy Registrar of Coop. Societies
Erode Circle, Erode District.
3. The President,
AA.528, Vazhaithottam Primary Agricultural
Coop. Credit Society Ltd.,
Sivagiri Via-638 109, Erode District.
4. The Inspection Officer (appointed U/s.82 of
T.N.Cooperative Societies Act)/
The Coop. Sub-Registrar/Field Officer
Kodumudi, Erode District.

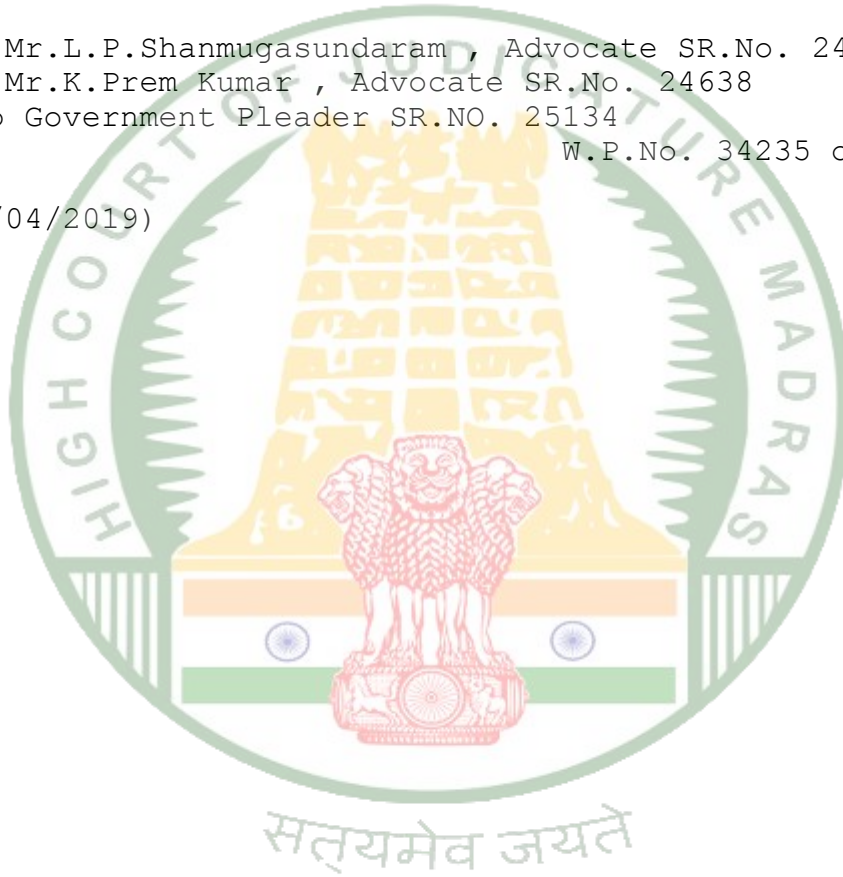
+1cc to Mr.L.P.Shanmugasundaram , Advocate SR.No. 24941

+1cc to Mr.K.Prem Kumar , Advocate SR.No. 24638

+1 cc to Government Pleader SR.NO. 25134

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A.SK(09/04/2019)



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