



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2019

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD).13427 of 2015

and M.P. (MD).Nos.1 and 2 of 2015

WEB COPY

M.Nainar

... Petitioner

Vs.

1. The Superintendent of Police,
CCIW, Annanagar, Chennai.
2. The Assistant Superintendent of Police,
CCIW, NGO B colony,
Perumalpuram S.O.,
Tirunelveli.
3. The Inspector of Police,
CCIW, NGO B colony,
Perumalpuram S.O.,
Tirunelveli.
4. T.Balaji
5. Sudalai.

... Respondents

(R4 and R5 are impleaded vide Court order dated 19.03.2019 in M.P. (MD).No.3 of 2015)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the intimation, dated 24.07.2015 in proceeding No.Nil, on the file of the 3d respondent herein pertaining to denial of taking cognizance over the complaint of the petitioner and to quash the same as illegal and further direct the respondent to register criminal case upon the complaint of the petitioner dated 21.12.2014.

For Petitioner : Mr.K.R.Laxman
For Respondents : Mr.R.Anandaraj for R1 to R3
Additional Public Prosecutor
Mr.B.Thanga Aravindh for R4 and R5

ORDER

This writ petition is filed by one of the Director of Milk Producers Co-operative Societies, Tirunelveli, as against the intimation of the Inspector of Police, CCIW, NGO B colony, Perumalpuram S.O., Tirunelveli, dated 24.07.2015.



2.By the order impugned in the writ petition, the Inspector of Police, CCIW, has informed the petitioner that based on his complaint already the Deputy Registrar, Co-operative Milk Societies has ordered for an enquiry under Section 81 of Tamilnadu Co-operative Societies Act, 1983, on 10.07.2015 in C.No.794/15/E4 and therefore they would proceed further on his complaint based on the outcome of the above said enquiry.

3.Aggrieved over the same, the petitioner had filed this writ petition that de hors the enquiry contemplated under Section 81 of the Co-operative Societies Act, the police ought to have proceeded with the complaint.

4.When the matter is taken up for hearing, the counsel for the respondents 4 and 5 had produced the copy of the order of the Deputy Registrar, Milk Co-operative Societies and would submit that in enquiry under Section 81 of the Tamilnadu Co-operative Societies Act, it reveals that the complaint is false and no irregularity has been noted by the enquiry officer.

5.In view of the same, this writ petition is closed as no further order is required. No costs. Consequently, connected miscellaneous petition is closed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
CCIW, Annanagar, Chennai.
2. The Assistant Superintendent of Police,
CCIW, NGO B colony,
Perumalpuram S.O., Tirunelveli.
3. The Inspector of Police,
CCIW, NGO B colony, Perumalpuram S.O.,
Tirunelveli.

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TM

MK (18.06.2019) 2P 4C