

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6408 of 2020

D. Jayasankar
S/o.Dhanapal

... Petitioner

.Vs.

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai 600 010.
 2. The Joint Registrar of Cooperative Societies,
Thiruvannamalai Region, Thiruvannamalai,
Thiruvannamalai District.
 3. A. Rajalakshmi,
President,
H.H.572, Thachampattu Primary
Agricultural Co-operative Credit Society Ltd.,
Thachampattu Village & Post - 606 811,
Thiruvannamalai Taluk & District.
 4. C. Achuthan
S/o.Chanran
Thachampattu Village & Post - 606 811,
Thiruvannamalai Taluk & District.
 5. The Superintendent of Police,
CCIW CID, Guindy, Chennai.
 6. The Inspector of Police,
CCIW CID, Thiruvannamalai,
Thiruvannamalai District.
- ... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the 5th respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 25.02.2020 within a stipulated time as fixed by this Court.

For Petitioner : Mr. C. Prakasam

For Respondents

For R1 & R2 : Mr.L.P.Shanmuga Sundaram, Spl. G.P.

For R3, R4 : No Appearance

For R5 & R6 : Mr.S. Karthikeyan, Addl. P.P.

O R D E R

The petitioner has filed this petition seeking for a Writ of Mandamus directing the fifth respondent to consider the written representation made by the petitioner dated 25.02.2020 and pass appropriate orders.

2. It is the case of the petitioner that the third respondent is the President of Thachampattu Primary Agricultural Co-operative Credit Society Ltd., Thachampattu Village, Thiruvannamalai Taluk & District. The fourth respondent, who is the husband of the third respondent, is acting as the President of the said Society and signed all the Proceedings, impersonating the signature of the third respondent and misappropriated the Society fund. In this regard, he made a complaint dated 25.02.2020 before the fifth respondent / the Inspector of Police, CCIW CID to take suitable action. But the fifth respondent informed him that only on the direction of the sixth respondent, they can register FIR and investigate the matter. Hence, this petition.

3. The learned Additional Public Prosecutor appearing for the respondents 5 and 6 has submitted that if the said representation is pending, the fifth respondent will consider the same on merits and in accordance with law.

4. In view of the facts and circumstances of the case, without going into the merits of the case, this Court is inclined to direct the fifth respondent to consider the representation of the petitioner dated 25.02.2020 and pass orders, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after providing opportunities to the parties concerned.

5. With the above observation and direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai 600 010.
2. The Joint Registrar of Cooperative Societies,
Thiruvannamalai Region, Thiruvannamalai,
Thiruvannamalai District.
3. The President,
H.H.572, Thachampattu Primary,
Agricultural CO-operative Credit Society Ltd.,
Thachampattu Village & Post - 606 811,
Thiruvannamalai Taluk & District.
4. The Superintendent of Police,
CCIW CID, Guindy, Chennai.
5. The Inspector of Police,
CCIW CID, Thiruvannamalai,
Thiruvannamalai District.

+1cc to the Government Pleader, Sr.No.25213

W.P.No.6408 of 2020

mg (co)
rr ii (17/09/2020)

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