

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.26418 of 2014 and
M.P.Nos. 2 & 3 of 2014

N.N. Malarkode

...Petitioner

v.

1. The Registrar of Coop. Societies,
No.170, EVR Periyar Road,
Kilpauk, Chennai - 10.
2. The Joint Registrar of Coop. Societies,
Karungalpalayam, Erode.
3. The Deputy Registrar of Coop. Societies,
O/o. Deputy Registrar,
No.33, Bajanai Koil Street,
Pudupalayam,
Gobichettipalayam, Erode District.
4. The President,
Nerinipettai Primary Agricultural Co-operative
Credit Society,
Nerinjipettai Anthiyur Taluk,
Erode District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Certiorari calling for the entire records relating to the impugned order passed by the 3rd respondent in his proceedings Na.Ka.Nl.311/2014/Ni.Ku.B(2), dated 17.09.2014 and quash the same and consequently, directing the respondents 1 and 2 to take appropriate action against the officials and the President of the 4th respondent society on the basis of written representation made by the petitioner on 01.09.2014.

[Prayer amended as per order dated 06.11.2014 in M.P.No.1 of 2014 in W.P.No.26418/2014.]

For Petitioner :

Mrs. R.Hemalatha
for Mr.C. Prakasam

For Respondents: Mr.L.P. Shanmuga Sundaram
Special Govt. Pleader - for R1 to R3

Mrs. T.P. Savitha - for R4

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 3rd respondent in his proceedings dated 17.09.2014, to quash the same and consequently, directing the respondents 1 and 2 to take appropriate action against the officials and the President of the 4th respondent Society on the basis of written representation made by the petitioner on 01.09.2014.

2. When the Writ Petition is taken up for hearing, Mr.L.P. Shanmuga Sundaram, learned Special Government Pleader, appearing for the respondents 1 to 3, submitted that the 3rd respondent had taken all legal actions against the officials and the President of the 4th respondent Society by initiating section 81 of Tamil Nadu Co-operative Societies Act enquiry and also for criminal prosecution. To that effect, the learned Special Government also produced a letter dated 20.08.2020 sent to him by the 4th respondent.

3. Mrs.T.P. Savitha, learned counsel appearing for the 4th respondent submitted that the proceedings were initiated under section 34 of the Tamil Nadu Co-operative Societies Act as against the 4th respondent and the 4th respondent was removed from the Presidentship and a new President has taken charge on 11.08.2018.

4. Mrs. R.Hemalatha, learned counsel appearing for the petitioner submitted that in view of the submissions made by the learned Special Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the 4th respondent, the Writ Petition may be closed.

5. Having regard to the submissions made by the learned counsel on either side, the Writ Petition is closed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Registrar of Coop. Societies,
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4. The President,
Neriniipettai Primary Agricultural Co-operative
Credit Society,
Nerinjipettai Anthiyur Taluk,
Erode District.

+1cc to M/s.T.P.Savitha, Advocate, SR.27617
+1cc to Special Government Pleader Sr.27493.

W.P.No.26418 of 2014 and
M.P.Nos. 2 & 3 of 2014

LN (CO)
RV (07/09/2020)

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