

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 35348 of 2019

R. Rajeswari

... Petitioner

-vs-

1. The Registrar of Co-operative Societies,
E.V.R. Periyar Salai,
Chennai.
2. The Joint Registrar of Co-operative Societies,
Salem District,
Salem.
3. The Deputy Registrar of Co-operative Societies,
Omalur Circle,
Omalur,
Salem District.
4. The Sub-Registrar of Co-operative Societies/Field Officer,
Kolathur Range,
No. K.K. 238, P.N. Patti - Veerakkalputhur Primary
Agricultural Co-operative Society Limited,
Karuppur Reddiyur Post,
Mettur Taluk & District - 636 404.

5. Vijayaragavan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First to Fourth Respondents herein to conduct enquiry against the Fifth Respondent under the provisions of Section 81 of the Tamil Nadu Co-operative Societies Act, 1983, in view of the proceedings of the Third Respondent in Na. Ka. 3820/2019/Ve.Se.Sa, dated 07.01.2020 by permitting the Petitioner herein to participate in the enquiry in the capacity as Vice President of K.K. 238, P.N. Patti-Veerakkal Pudhur Primary Agricultural Co-operative Credit Society Limited and file report.(prayer amended vide order dated 18/2/2020 made in WMP.No.4378/2020)

For Petitioner : Mr. Kandhan Duraisami

For Respondent : Mr. L.P. Shanmugasundaram,
Special Government Pleader
(for R1 to R4)

Mr. S. Kamadevan (for R5)

O R D E R

The Writ Petition has been filed for a direction to the the First to Fourth Respondents to conduct enquiry against the Fifth Respondent under the provisions of Section 81 of the Tamil Nadu Co-operative Societies Act, 1983, in view of the proceedings No. Na. Ka. 3820/2019/Ve.Se.Sa dated 07.01.2020 issued by the Third Respondent by permitting the Petitioner to participate in the enquiry in the capacity as Vice President of K.K. 238, P.N. Patti-Veerakkal Pudhur Primary Agricultural Co-operative Credit Society Limited and file report.

2. It is brought to the notice of this Court by the Learned Special Government Pleader appearing for the First to Fourth Respondents that a new enquiry officer has been appointed by order No. Na. Ka. 3820/2019 Ve.Se.Sa dated 07.01.2020 passed by the Third Respondent and that enquiry has been fixed on 24.02.2020 before the Fourth Respondent and notice would be issued to all parties concerned including the Petitioner and the Fifth Respondent for the same.

3. The Petitioner and other concerned parties shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter. The Fourth Respondent shall ensure that there are atleast two effective hearings every week showing progress of the case and the time limit prescribed under Section 81(4) Tamil Nadu Co-operative Societies Act, 1983, is followed. After affording full opportunity of hearing to all parties concerned, the Fourth Respondent shall consider each of the contentions raised by the parties and pass reasoned order on merits and in accordance with law, and shall communicate the decision taken to them under written acknowledgment and file a report of such compliance before the Registrar (Judicial) of this Court by 03.06.2020.

5. The Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Registrar of Co-operative Societies,
E.V.R. Periyar Salai,
Chennai.
2. The Joint Registrar of Co-operative Societies,
Salem District,
Salem.
3. The Deputy Registrar of Co-operative Societies,
Omalur Circle,
Omalur,
Salem District.
4. The Sub-Registrar of Co-operative Societies/Field Officer,
Kolathur Range,
No. K.K. 238, P.N. Patti - Veerakkalputhur Primary
Agricultural Co-operative Society Limited,
Karuppur Reddiyur Post,
Mettur Taluk & District - 636 404.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr.Muthumani Doraisamy, Advocate, Sr.No.13750
+1cc to Mr.S.Kamadevan, Advocate, Sr.No.13563

W.P. No. 35348 of 2019

GS (29/05/2020)