

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.37661 of 2004
and W.P.M.P.No.45164 of 2004

S.Elangovan

... Petitioner

Vs.

1.The Secretary to Government,
Food and Cooperation Department,
Fort St.George, Chennai.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Thanjavur.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Declaration to declare the First Information Report in Crime No.9 of 2003 dated 09.07.2003 pending on the file of the 2nd respondent is violative of the provisions of Section 81, 161, 162 and 164 of the Tamil Nadu Co-operative Societies Act, 1983 and violative of Entry 43 of List I, Entry 32 of List II, Entry I of the Constitution of India, as arbitrary and null and void and without jurisdiction.

For Petitioner : Ms.C.Jayanthi
for Ms.P.Jebamary

For Respondents : Mr.K.Magesh
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the First Information Report in Crime No.9 of 2003 dated 09.07.2003 pending on the file of the 2nd respondent.

2. Learned Special Government Pleader appearing for the respondents would submit that the proceedings in Crime No.9 of 2003 was dropped vide G.O.Ms.No.210/Agriculture (AA-2) Department dated 09.10.2009.

3. The learned counsel appearing for the petitioner would submit that a similar writ petition in W.P.No.22759 of 2005 was filed by the other petitioner challenging the F.I.R and this

Court has passed an order dated 17.07.2020, with reference to G.O.Ms.No.210/Agriculture (AA-2) Department dated 09.10.2009, stating that the said writ petition has become infructuous. The present writ petition is also filed for the same relief and the same shall be dismissed as infructuous.

4. Considering the submissions made on either side, nothing survives in this writ petition for further adjudication. Accordingly, the Writ Petition stands dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1.The Secretary to Government,
Food and Cooperation Department,
Fort St.George, Chennai.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Thanjavur.

+1CC to M/s. C.Jayanthi, Advocate SR. 38981.

+1CC to Government Pleader, Advocate SR. 39328.

सत्यमेव जयते

W.P.No.37661 of 2004

LN (CO)

NRA (08/02/2021)

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