



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD) .No.613 of 2019

S.M.Anthony Muthu

.. Petitioners

Vs.

1) The Joint Registrar of Co-operative Societies,
Collectorate Campus,
Nagercoil.

2) The Co-operative Sub Registrar / Field Officer,
Thuckalay,
Kanyakumari District.

3) Reethapuram Primary Agricultural
Co-operative Credit Society, Y-239,
Reethapuram & Post,
Kanyakumari District,
Rep. by its Secretary

4) L.Jeyasekar

.. Respondents

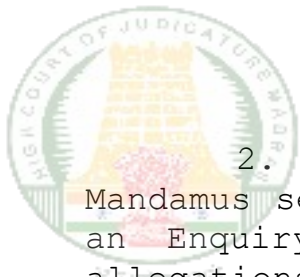
PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to appoint an enquiry officer to conduct enquiry into the allegations against the 4th respondent and his Board members and to conclude the entire proceedings within a stipulated time.

For Petitioner : Mr.C.T.Perumal

For RR 1 to 3 : Mr.C.Ramesh,
Special Government Pleader

O R D E R

Mr.C.Ramesh, learned Special Government Pleader accepts notice for the respondents 1 to 3. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.



2. In this writ petition, the petitioner has sought for a Mandamus seeking for a direction to the first respondent to appoint an Enquiry Officer to conduct an enquiry to look into the allegations against the fourth respondent and the Board members and to conclude the entire proceedings within a stipulated time.

3. Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents 1 to 3 has placed on record the written instructions, dated 12.10.2020 received by him from the second respondent. As seen from the written instructions, it is clear that the respondents 1 and 2 have already appointed an Inspection Officer and the Inspection Officer has also submitted his report and found various malpractices and irregularities committed by the third respondent Society. It is also seen from the written instructions that, based on the recommendations of the Inspection Officer (Joint Registrar of Cooperative Societies, Nagercoil) the respondents 1 and 2 have issued a show cause notice, dated 10.01.2020 to the Board, seeking for explanation from the Board members. The fourth respondent is also one of the Board member of the third respondent Cooperative Society. Since the respondents 1 and 2 have already initiated legal action for the alleged irregularities committed by the third respondent Society and its members, nothing survives for adjudication in this writ petition, as the relief sought for by the writ petitioner has been achieved.

4. For the foregoing reasons, this writ petition is dismissed as infructuous. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1) The Joint Registrar of Co-operative Societies,
Collectorate Campus,
Nagercoil.

2) The Co-operative Sub Registrar / Field Officer,
Thuckalay,
Kanyakumari District.

3) The Secretary,
Reethapuram Primary Agricultural
Co-operative Credit Society, Y-239,
Reethapuram & Post,
Kanyakumari District.

+1 CC to M/s.GP (SR-20033[F] dated 14/10/2020)

+1 CC to M/s.C.T. PERUMAL, Advocate (SR-20102[F] dated 15/10/2020)

Order made in
W.P(MD).No.613 of 2019
Dated: 13.10.2020

BK(CO)
TR(03.11.2020) 3P 6C