



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.NO.32022 OF 2013

Dr.Ambedkar Service Association
Rep. by its General Secretary E. Anbarasu,
O/o. The Principal Accountants General A and E,
Civil, Commercial & Receipt and Local Body Audit,
No.361, Anna Salai, Teynampet,
Chennai-600 018.

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Head of Branch, Central Bureau of Investigation,
Special crime Branch "A" Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar, Chennai-600 090.
2. The Registrar of Cooperative Societies (Housing),
Tamil Nadu Housing Board Building,
Nandanam, Chennai-600 035.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to pass orders on the representation dated 15.04.2013 seeking initiation of CBI Enquiry against all the officials who were all involved in the land scam and to submit a report thereto within a time stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For R1 : No Appearance

For R2 : Mr.C.Jayaprakash
Government Advocate



O R D E R

The relief sought for in the present writ petition is to direct the respondents to pass orders on the representation dated 15.04.2013 seeking initiation of CBI enquiry against all the officials who were all involved in the land scam.

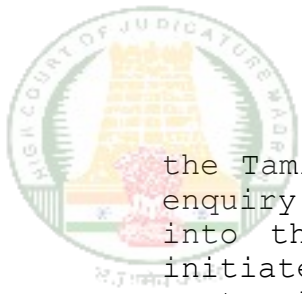
2. The petitioner Association are the employees of the office of the Principal Accountant General A & E, Teynampet, Chennai and the Members of the petitioners' Association are the members of the Tamil Nadu Accountant General's Office Staff Cooperative House Building Society.

3. The learned counsel for the petitioner states that there was a scam in the matter of dealing with the housing properties acquired by the Society registered under the Tamil Nadu Cooperative Societies Act. The Housing Society was registered for the benefit of the employees working in the Principal Accountant General Office and in view of the scam by the elected office bearers and few members of the Society, the genuine members of the Society are deprived of their right to get the benefit of housing schemes to be implemented by the Housing Society. In this regard the petitioner Association submitted a complaint for initiation of action. Since, no action was taken, the present writ petition is filed.

4. This Court is of the considered opinion that the Cooperative Societies including the Cooperative Housing Society registered under the provisions of the Tamil Nadu Cooperative Societies Act are functioning under the control of the Cooperative Department of the Government of Tamil Nadu. The Registrar of Cooperative Societies (Housing) is the controller under the provisions of the Tamil Nadu Cooperative Societies Act. Section 81 of the Tamil Nadu Cooperative Societies Act contemplates enquiry into the affairs of the Cooperative Societies and Section 82 provides for inspection to be conducted by the competent authorities, whenever there is an irregularity, misappropriation, fraud or otherwise and an enquiry under Section 81 is to be conducted for the purpose of culling out the truth in respect of such allegations. When the petitioner has submitted a complaint for initiation of action, the 2nd respondent ought to have invoked the provisions of Section 81 and appoint a competent authority for the purpose of conducting an enquiry.

5. The learned counsel for the petitioner states that no action has been taken so far.

6. In view of the facts and circumstances the 2nd respondent is directed to invoke the provisions of Section 81 of



the Tamil Nadu Cooperative Societies Act and order for statutory enquiry to be conducted by the competent authority to enquire into the allegations raised by the petitioner and thereafter initiate all appropriate actions by following the procedures as contemplated under the provisions of the Tamil Nadu Cooperative Societies Act and Rules.

7. With these directions, the Writ Petition stands allowed.
No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Jeni/cse

To

1. The Deputy Inspector General of Police,
Head of Branch, Central Bureau of Investigation,
Special crime Branch "A" Wing, 3rd Floor,
Rajaji Bhavan, Besant Nagar, Chennai-600 090.
2. The Registrar of Cooperative Societies (Housing),
Tamil Nadu Housing Board Building,
Nandanam, Chennai-600 035.

+lcc to Mr.L.Chandrakumar, Advocate, S.R.No.62151
+lcc to the Government Pleader, S.R.No.62626

W.P.No.32022 of 2013

NMI (CO)
PM/13/12/2021