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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.13593 of 2021
and W.M.P.No.14460 of 2021

D.Krishnamoorthy
S/o. N. Durasiamy,
No. 30 Lakshmanan Nagar West Street,
Peravalur, Chennai 600 082

...Petitioner

Vs.

1. The Registrar of Co-operative Society (Housing),
No. 48 Ritherden Road,
Vepery Chennai 600 017

2. The Senior Inspector/ Enquiry officer u/s 81,
Office of the Deputy Registrar (Housing),
No. 28 Ramanathan Street,
Chennai Region Chennai 600 017

...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to furnish all the required relevant documents to the petitioner so as to face enquiry under Section 81 of the Tamil Nadu Cooperative Society Act 1983 based on the petitioner's representation dated 24.06.2021.

For Petitioner	:	Mr.P.H.Arvind Pandian, Sr. Counsel for Mr.L.P.Shanmugasundaram
For Respondents	:	Mr.A.Selvendran, G.A.

O R D E R

According to the petitioner, petitioner was elected as Vice President of the Perambur Co-operative Building Society Ltd. The first respondent has taken action against the petitioner by sending notice to the petitioner to appear for enquiry. On



receipt of notice, the petitioner made an application to the enquiry officer on 10.6.2021 to furnish the documents as stated in the said application to the enquiry officer. However, according to the petitioner, no such documents were furnished to the petitioner. In the absence of documents, the petitioner is not in a position to appear before the enquiry officer to submit his objection. On 24.7.2021, the petitioner made a representation to the first respondent to furnish the documents which are relied upon by the petitioner to submit his explanation and the same is still pending with the enquiry officer.

2. The learned Government Advocate appearing for the respondents would submit that the documents which are relevant to the enquiry will be considered and pass appropriate order on his application.

3. In view of the submissions made by the counsel for the parties and taking into account the representation made by the petitioner, dated 24.6.2021 for furnishing the copies of documents to appear for enquiry before the enquiry officer, the second respondent is directed to consider the representation made by the petitioner, dated 24.6.2021 to furnish the relevant documents as required by the petitioner in accordance with law. The said application shall be disposed of as expeditiously as possible preferably within a period of two weeks from the date of receipt of copy of the order. Thereafter, the enquiry officer shall proceed by issuing necessary notice for appearance of the petitioner.

4. The writ petition stands disposed of with the above directions. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar of Co-operative Society (Housing),
No. 48 Ritherden Road, Vepery Chennai 600 017



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PCH (CO)
RLP (23/07/2021)