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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.15692 of 2021

M.Jayakrishnan

..Petitioner

.Vs.

1.The Registrar of Co-operative Societies,
NVN Maligai, Kilpauk,
Chennai 600 010.

2.The Director of Vigilance and Anti-Corruption,
No.293, M.K.N.Slai, Collector Nagar,
Alandur, Chennai 600 016.

3.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Bynapally Road,
Opp.Krishnagiri Collectorate,
Krishnagiri District.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent nos.1 to 3 to consider the representation dated 01.07.2021 made by the petitioner herein and pass appropriate orders within stipulated time period as may be fixed by this Court.

For Petitioner : Mr.T.Sundaravadanam

For Respondents: Mr.A.Selvendran
Government Advocate

ORDER

Puliampatti Primary Cooperative Society and Kamanthoddy Primary Agricultural Cooperative Credit Society are Suo Motu impleaded as the respondents 4 and 5, in this Writ Petition.



2.This Writ Petition on has been filed for the issue of a Writ of Mandamus directing the 1st respondent to consider the representation made by the petitioner on 01.07.2021, wherein, the petitioner is seeking for the continuation of the enquiry upon missing reports of the enquiry officer on the enquiry conducted under Section 81 of the Cooperative Societies Act, pertaining to two Primary Agricultural Cooperative Societies.

3.The case of of the petitioner is that he is a resident of Hosur and he is also a member of the Hosur Primary Agricultural and Rural Development Bank and also a member in Anchetty Cooperative Credit Society. It is stated that the enquiry was ordered under Section 81 of the Tamil Nadu Cooperative Societies Act, with respect to the Primary Agricultural Cooperative Credit Societies which have been impleaded as the 4th and 5th respondents in this writ petition. An enquiry officer was also appointed and the grievance of the petitioner is that no enquiry report was submitted and the enquiry officer sided with the delinquent persons.

4.The petitioner therefore made a representation to the Deputy Registrar of Cooperative Societies, Krishnagiri and the Deputy Registrar of Cooperative Societies, Krishnagiri by communication dt.21.02.2021, called upon the petitioner to attend an enquiry and to give his statement along with the relevant materials. It is further stated that the petitioner attended the enquiry and has also deposed before the enquiry officer on 08.04.2021. The grievance of the petitioner is that there has been absolutely no progress . Thereafter, left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

5.Heard learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

6.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 1st respondent to proceed further with the enquiry after affording opportunity to the petitioner and the 4th and 5th respondents and take a decision strictly in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

7.The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.



8.This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS-VIII)

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//True Copy//

Sub Assistant Registrar

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To

- 1.The Registrar of Co-operative Societies,
NVN Maligai, Kilpauk,
Chennai 600 010.
- 2.The Director of Vigilance and Anti-Corruption,
No.293, M.K.N.Slai, Collector Nagar,
Alandur, Chennai 600 016.
- 3.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Bynapally Road,
Opp.Krishnagiri Collectorate,
Krishnagiri District.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.38577
+1cc to the Government Pleader, S.R.No.38820

W.P.No.15692 of 2021

PCH(CO)
CB(23/08/2021)