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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 37949 of 2016

R.T.Senthilkumar

... Petitioner

Vs

1. The District Collector,
Collectorate Complex,
Sathuvachari, Vellore - 632 009.
2. The Joint Registrar of Co-operative Societies,
Collectorate Complex,
Sathuvachari, Vellore- 632 009.
3. K.Govindaraja,
Secretary,
C.1363, K.Chettiyapanur Primary Agricultural
Co-operative Society,
Chettiyapanur Village and Post,
Vaniyambadi Taluk - 635 751,
Vellore District.
4. M.Krishnamurthy,
Attendor,
C.1363, K.Chettiarpanur Primary Agricultural
Co-operative Society,
Chettiyapanur Village and Post,
Vaniyambadi Taluk - 635 751.
5. R.Sankar,
Salesman
C.1363, K.Chettiarpanur Primary Agricultural
Co-operative Society,
Chettiyapanur Village and Post,
Vaniyambadi Taluk - 635 751.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the first respondent to consider and pass appropriate orders based on petitioner's representation dated 13.07.2016.



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For Petitioner : Mr.M.Selvam
For Respondents : Mr.C.Kathiravan
Govt. Advocate for R1 and R2
Mr.T.Sundaravadanam for R3 to R5

O R D E R

The writ on hand is filed to direct the first respondent to dispose of the representation submitted by the writ petitioner on 13.07.2016.

2. Perusal of the representation reveals that the petitioner has raised certain allegations against the employees and sought for relief to terminate the employees who have committed such irregularities and illegalities. No doubt, if any complaint has been given by the Member of the Society, the competent authorities are bound to consider and conduct an enquiry. However, in the present case, the District Collector cannot conduct an enquiry as the provisions of the Tamil Nadu Co-operative Societies Act provides mechanism for conducting enquiry in such circumstances. Thus, the complaint submitted by the petitioner has to be considered by the second respondent for initiation of action. Further, the relief as such to terminate the employees cannot be sought for. Only after conducting the enquiry and by following the procedures, further action should be initiated. Thus, the second respondent has to look into the complaint filed by the petitioner for initiation of action in respect of certain irregularities and illegalities in the Co-operative Society.

3. With these observations, the Writ Petition stands disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

vji / mka
To

1. The District Collector,
Collectorate Complex,
Sathuvachari, Vellore - 632 009.



2. The Joint Registrar of Co-operative Societies,
Collectorate Complex,
Sathuvachari, Vellore- 632 009.

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+1 CC to Mr.M.Selvam, Advocate sr 50191.

+1 CC to The Govt. Pleader sr 50544.

W.P. No. 37949 of 2016

PVS (CO)

SP (22/10/2021)