

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 29.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH  
and  
THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Writ Appeal No.2419 of 2019  
and CMP.No.15886 of 2019

A.Prabakaran .. Appellant/ Petitioner

Vs.

1. The Deputy Registrar of Cooperative Societies (Housing),  
Chengalpet Circle, Varadhanar Street,  
Chengalpet, Kancheepuram District.
2. The Cooperative Sub Registrar (Housing)/  
Enquiry Officer, Tiruvallur Circle,  
O/o. Deputy Registrar of Cooperative Societies (Housing)  
Chengalpet Circle, Varadhanar Street,  
Chengalpet,  
Kancheepuram District. .. Respondents/ Respondents

Writ Appeal filed under Clause 15 of the Letters Patent  
against the order dated 19.03.2019 made in WP.No.28027 of 2018  
passed by the Single Judge of this Court.

For appellant : Mr.C.Prakasam  
For respondents : Mr.L.P.Shanmuga Sundaram,  
Spl.G.P.

JUDGMENT

(The Judgment of the Court was delivered by R.Subbiah, J)

This appeal is heard through video-conferencing today.

2. This Writ Appeal has been filed against the order dated 19.03.2019 passed by the learned Single Judge in WP.No.28027 of 2018 on the file of this Court, which was filed to quash the impugned notice of the second respondent, dated 26.09.2018.

3. When the matter is taken up for consideration, the learned Special Government Pleader appearing for the respondents submitted that the appellant / writ petitioner has filed the above Writ Petition challenging the enquiry notice issued under Section 81 of the Tamil Nadu Cooperative Societies Act in

proceedings dated 26.09.2018. The said Writ Petition was dismissed, as against which, the present Writ Appeal has been filed. Now, during the pendency of the present Appeal, an enquiry report, dated 29.03.2021, under Section 81 of the Tamil Nadu Cooperative Societies Act, was submitted by the Deputy Registrar of Cooperative Societies (Housing), Chengalpattu. In the enquiry report, there is no recommendation for surcharge proceedings and only a disciplinary proceedings against the petitioner, is recommended.

4. At this juncture, the learned counsel appearing for the appellant / writ petitioner submitted that there cannot be any disciplinary proceedings after 16 years of the alleged irregularities that had occurred in the year 2005.

5. Be that as it may. As of now, as there is no surcharge proceedings, while recording the submissions of the learned Special Government Pleader, the Writ Appeal is closed. However, if the appellant / petitioner has any other grievance, he is entitled to take separate legal proceedings. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Deputy Registrar of Cooperative Societies (Housing), Chengalpet Circle, Varadhanar Street, Chengalpet, Kancheepuram District.
2. The Cooperative Sub Registrar (Housing)/ Enquiry Officer, Tiruvallur Circle, O/o. Deputy Registrar of Cooperative Societies (Housing) Chengalpet Circle, Varadhanar Street, Chengalpet, Kancheepuram District.

+1cc to Mr.C.Prakasam, Advocate SR.No. 20470

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and CMP.No.15886 of 2019

A.SK(05.07.2021)