

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.04.2021

Coram

The Honourable Mr.Justice D.KRISHNAKUMAR

W.P.No.27595 of 2017

A.Venkatesan

...Petitioner

Versus

- 1.The Registrar of the Co-operative Societies,
Kilpauk, Chennai - 600 010.
- 2.The Joint Registrar of Co-operative Societies,
Thiruvannamalai Region,
No.55, Kosamada Street, Thiruvannamalai - 606 601.
- 3.The Deputy Registrar of Co-operative Societies,
Thiruvannamalai Circle,
No.55, Kosamada Street, Thiruvannamalai - 606 601.
- 4.The District Collector,
Thiruvannamalai District, Thiruvannamalai.
- 5.Mrs.Sumathi,
President,
Padagam Primary Agricultural Co-operative
Credit Society (VT 702)
Padagam Village and Post,
Kalasapakkam Taluk, Thiruvannamalai District.

...Respondent

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This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner representation dated 13.09.2017 and consequently, direct the respondents 1 to 3 to take action against the fifth respondent's mismanagement and her corrupt practice within stipulated period as fixed by this Court.

For Petitioner : Mr.J.Karthikeyan

For Respondents - 1 to 3 : Mr.L.P.Shanmugasundaram,
Special Govt. Pleader

Respondent - 4 : Mr.D.Suryanarayanan,
Government Advocate

Respondent - 5 : Mr.K.Rajendran

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to consider the petitioner's representation dated 13.09.2017 and consequently, direct the respondents 1 to 3 to take action against the fifth respondent's mismanagement and her corrupt practice within stipulated period as fixed by this Court.

2. The case of the petitioner is that he is the member of the Padagam Primary Agricultural Co-operative Credit Society (VT 702) and the fifth respondent herein is the president of the said society. While so, the fifth respondent and her husband Mr.Chinnapaiyan were involved in corrupt practice, mismanagement of the society and misappropriated the funds of the society in various ways and also received bribe from the public for sanctioning the agricultural loan.

2.1. The fifth respondent never involved in any affairs of the society and her husband alone acted as President of the society and signing her signature in all the papers and proceedings of the society. Both the fifth respondent and her husband never sanctioned a agricultural loan to the farmers without receiving bribe from them. Therefore, on public interest, the petitioner made a representation dated 13.09.2017 to the respondents 1 to 3 for conducting inquiry and taking legal action against the fifth respondent and her husband, however, the same was not yet considered.

3. Heard the learned counsel on both sides and perused the materials available on record.

4. In the counter affidavit, the second respondent had stated that as per the direction of the third respondent vide order dated 10.11.2017, the enquiry team consisting of two co-operative Sub-Registrars had examined and enquired the petitioner's representation in detail and submitted an enquiry report before the third respondent on 13.11.2017. Based on the

said enquiry report, the third respondent has sent compliance report to the petitioner vide Letter R.C.No.3834/2017 PACCS, dated 28.12.2017. The aforesaid enquiry report reveals that the petitioner made such representation to the respondents 1 to 3 only because of his personal enmity with the fifth respondent and not on public interest.

5. In view of the averments made by the second respondent in the counter affidavit, the petitioner's case deserves no merit of consideration and therefore, the same is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. It is needless to state that if the compliance report was not yet communicated to the petitioner by the third respondent as stated in the counter affidavit, third respondent shall send the same to the petitioner by way of RPAD, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mrr

To

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- 4.The District Collector,
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Thiruvannamalai.

5.Mrs.Sumathi,
President,
Padagam Primary Agricultural Co-operative
Credit Society (VT 702)
Padagam Village and Post,
Kalasapakkam Taluk,
Thiruvannamalai District.

+2cc to Special Government Pleader (CO-OP)SR.No.25654, 25656

W.P.No.27595 of 2017

SSN(CO)
GMY(28/06/2021)



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