



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.17984 of 2021

and

W.M.P.(MD)Nos.14855 and 14856 of 2021

WEB COPY

T.Palmaran

... Petitioner

Vs.

1.The Deputy Register of Co-Operative Societies,
O/o the Deputy Register of Co-Operative Societies,
K.T.M.Kasim center,
Second Floor, Salai Street,
Ramanathapuram.

2.The Secretary,
R.R. 1397 Ramanathapuram Schwarts High Secondary Employees
Co-Operative thrift and credit society,
Ramanathapuram.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to call for the records of the impugned order in Surcharge No.1/2018-19 Sa.Pa. dated 17.09.2021 on the file of the first respondent and quash the same as illegal and consequently direct the first respondent to furnish the twelve documents mentioned enquiry report conducted U/s.81 of Tamil Nadu Co-Operative Societies Act, 1983 dated 23.10.2017 within the time stipulated by this court.

For Petitioner	: Mr.T.Thirumurugan
For Respondents	: Mr.B.Saravanan
	Counsel for the State

O R D E R

The petitioner challenges a communication dated 17.09.2021 on the file of the first respondent and seeks a consequential direction to the said respondent to provide the twelve documents, which are mentioned in the inquiry report.

2.The petitioner states that an inquiry was instituted against him under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983. In course of such inquiry, the petitioner states that about twelve documents are being relied upon against the petitioner. Therefore, the petitioner requested for copies of such documents. By the impugned communication, the petitioner was informed that he could inspect the said documents on 27.09.2021, 28.09.2021 and 29.09.2021 and take notes. The petitioner states that the relevant



documents are voluminous and that he would not have a reasonable opportunity to defend the case unless he is provided copies of the said documents.

3.Mr.B.Saravanan, learned counsel for the State, accepts notice on behalf of the first respondent. He submits that copies of the relevant documents would be provided to the petitioner within two weeks from the date of receipt of a copy of this order.

4.In order to effectively participate in the inquiry, the person against whom such inquiry is conducted should be provided copies of relevant documents. It is possible that such documents are being requested for at this stage with the view to protract the proceedings. Nonetheless, the interest of justice warrants that such documents be provided to the petitioner. In order to ensure that the non-production of these documents is not cited as a reason to further protract the proceedings, it is just and necessary that the documents be provided quickly.

5.Accordingly, the first respondent is directed to provide copies of all the twelve documents listed in the inquiry report dated 23.10.2017 to the petitioner within a period of two weeks from the date of receipt of a copy of this order. After such documents are handed over to the petitioner, the pending inquiry may continue on any date not before two weeks from the date of handing over such documents to the petitioner.

6.W.P(MD).No.17984 of 2021 is disposed of on these terms without any order as to costs. Consequently, connected W.M.P.(MD) Nos.14855 and 14856 of 2021 are closed.

Sd/-

Assistant Registrar (Records)

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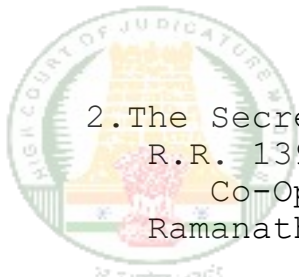
/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The Deputy Register of Co-Operative Societies,
O/o the Deputy Register of Co-Operative Societies,
K.T.M.Kasim center,
Second Floor, Salai Street,
Ramanathapuram.



2.The Secretary,
R.R. 1397 Ramanathapuram Schwarts High Secondary Employees
Co-Operative thrift and credit society,
Ramanathapuram.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-31384[F] dated 06/10/2021)

+1 CC to M/s.SPL.GP (SR-31333[F] dated 06/10/2021)

W.P.(MD)No.17984 of 2021

and

W.M.P.(MD)Nos.14855

and 14856 of 2021

05.10.2021

NSN(CO)/RS (20.10.2021) 3P 5C