



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.1823 of 2018

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P.Kaliappan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Office Campus,
Dindigul District,
Dindigul.
- 2.Joint Registrar of Co-operative Societies,
District Collectorate Office Premises,
Dindigul.
- 3.The Managing Director,
Dindigul District Co-operative Central Bank Ltd.,
Dindigul.
- 4.Deputy Registrar of Co-operative Societies,
Palani.
- 5.Management,
T.P.2., Periakottai Agriculture Co-operative Society Ltd.,
Periakottai - Ottanchatram Taluk,
Dindigul District.
- 6.P.Kamaraj
- 7.K.Subramanian
- 8.R.Sundara Vadivel
- 9.Vellaithai
- 10.Kaniasasi
- 11.Murugathal
- 12.Arumugam
- 13.Narayanasamy
- 14.Karuppu Samy
- 15.Kannappan
- 16.Gananasekar
- 17.Baskaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to consider the representation dated 31.10.2016 made by the petitioner and to take appropriate action against the 6th to 17th



respondents in accordance with Sec.81 and 88 of the Tamil Nadu Cooperative Societies Act and make good the loss caused to the Government of Tamil Nadu within the time limit to be fixed by this Court.

For Petitioner : Mr.A.Thirumurthy
For Respondents 1,2&4 : Mr.K.P.Krishnadass
Special Government Pleader
For Respondents 3,5&7 :Mr.D.Shanmugaraja Sethupathi
(*)For Respondent No.6 : Mr.N. DilipKumar.
For Respondents 8 to 17 : No appearance

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard the learned Counsel on either side.

2.The amended prayer sought for in the writ petition is for a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation dated 31.10.2016, made by the petitioner and to take appropriate action against the 6th to 17th respondents in accordance with Sec.81 and 88 of the Tamil Nadu Cooperative Societies Act.

3.It may not be necessary for us to go into the allegations made by the petitioner as the sum and substance is that there are certain doubtful transactions done by the Society in respect of the disbursement of loan.

4.The learned Counsel for the third respondent submitted that the Deputy Registrar of Co-operative Society is the fourth respondent, who has appointed an officer to conduct an enquiry. It is also submitted that the enquiry is completed and report has been submitted which indicates that there is nothing adverse to the said society.

5.In any event, the sixth respondent has filed a counter affidavit denying all the allegations made by the petitioner and attributing political motive to the petitioner.

6.Be that as it may, an officer has been appointed by the Deputy Registrar and therefore, it would be appropriate for the Deputy Registrar to consider the report and pass an order and communicate a copy of the order to the petitioner to enable him to work out his remedy in the manner known to law. This direction be complied with within a period of two [2] months from the date of receipt of a copy of this order.



7. With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

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Sd/-

Assistant Registrar (CS-II)

(*) corrected as per order dated 22.07.2021

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

(*) To be substituted to the order already despatched on 14.07.2021

1. The District Collector,
Collectorate Office Campus,
Dindigul District, Dindigul.
2. Joint Registrar of Co-operative Societies,
District Collectorate Office Premises,
Dindigul.
3. The Managing Director,
Dindigul District Co-operative Central Bank Ltd.,
Dindigul.
4. Deputy Registrar of Co-operative Societies, Palani.
5. Management,
T.P.2., Periakottai Agriculture Co-operative Society Ltd.,
Periakottai - Ottanchatram Taluk,
Dindigul District.



+1cc to Mr.A.Thirumurthy, Advocate in SR.No.17080

+1cc to Mr.D.Shanmugaraja Sethupathi, Advocate in SR.No.17289

+1cc to Mr.N.Dilipkumar, Advocate in Sr.No.23763

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CN(13.07.2021) 3P 9C

CN(CO)

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