



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19728 of 2020

MDA/HSG 33 Tamil Nadu Public Servant
Co-operative Building Society Ltd.,
3/1050 NGO Colony,
(Johnson Paper Company 1st Floor)
Sattur - 626 203 rep. by its
President,
P.Rajendran,
S/o.Peatchi Muthu

... Petitioner

-Vs-

1.The Deputy Registrar (Housing),
Virudhunagar Region,
3, T.T.Road, Main Nagaram,
Virudhunagar - 626 001.

2.The Co-operative Sub - Registrar (Housing),
3, T.T.Road, Main Nagaram,
Virudhunagar - 626 001.

3.R.Meenatchi Sundareshwaran

... Respondents

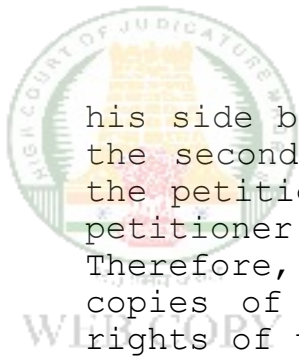
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the entire proceedings of the 1st respondent, dated 03.11.2020 in Na.Ka.No.648/2020/NaVee and to quash the same and pass such further orders as this Hon'ble Court may deem fit and proper with regard to the fact and circumstance of the case.

For Petitioner	: Mr.Pethu Rajesh.P
For R1 & R2	: Mr.C.Ramar, Additional Government Pleader.

ORDER

Heard the learned counsel on either side.

2.What is under challenge in the writ petition is a proceeding whereby enquiry under Section 81 of the Tamilnadu Cooperative Societies Act has been ordered. I am of the view that the writ petition at this stage may not be maintainable. After all the purpose of the enquiry is to find out the true state of affairs. This Court will not justified in interfering at this stage. However, the petitioner must be given full opportunity to present



his side before the enquiry officer. The petitioner had written to the second respondent, seeking copies of certain documents so that the petitioner can give the explanation. The grievance of the writ petitioner is that the said request has not been accepted so far. Therefore, I direct the first respondent to make available the copies of the documents sought for by the writ petitioner. The rights of the writ petitioner are left open. I make it clear that I have not gone into the merits of the petitioner.

3.The writ petition is disposed of with the above said directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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:-

1.The Deputy Registrar (Housing),
Virudhunagar Region,
3, T.T.Road, Main Nagaram,
Virudhunagar - 626 001.

2.The Co-operative Sub - Registrar (Housing),
3, T.T.Road, Main Nagaram,
Virudhunagar - 626 001.

+1 CC to M/s.SPL GP (SR-809[F],SR-807[F] dated 05/01/2021)

+1 CC to M/s.P.PETHU RAJESH, Advocate (SR-721[F] dated 08/01/2021)

W.P. (MD)No.19728 of 2020
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KG(CO)

KB(04.02.2021) 2P 5C