

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.15344 of 2022

G.Ravi

...Petitioner

Vs.

1. The District Collector,
Kallakurichi District,
Kallakurichi - 606 202.
2. The Registrar of Co-operative Societies,
No.170, NV Natarajan Maaligai,
Periyar EVR High Road,
Poonamallee High Road, Kilpauk,
Chennai - 600 010.
3. The Additional Registrar of Co-operative Societies,
170, EVR Road, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai - 600 106.
4. The Joint Registrar of Co-operative Societies,
170, EVR Road, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai - 600 106.
5. The Deputy Superintendent of Police,
Kallakurichi District, Kallakurichi.
6. The Sendanadu Primary Agriculture
Co-operative Bank Limited,
Represented by its authorized signatory,
Sendanadu, Kallakurichi District.
7. Shanmugam,
Bank Secretary,
The Sendanadu Primary Agriculture
Co-operative Bank Limited,
Sendanadu, Kallakurichi District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the first to fifth respondents to immediately conduct enquiry on the petitioner's representation dated 31.12.2021 thereby taking

appropriate legal action against the seventh respondent for the offences committed by him by way of cheat and fraud and swindled public money under the scheme of alleged Gold Loans and Crop Loans pertaining to Members of Agriculturist Accounts of the Primary Co-operative Bank Limited, Sendanadu, Ulundur Taluk, Kallakurichi District, in accordance with law.

For Petitioner : Mr.S.L.Sudarsanam

For Respondents:

For R1 to R5 : Mr.M.Shahjahan
Special Government Pleader

For R6 : Mr.R.P.Murugan Raja
Government Advocate

ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the first to fifth respondents and Mr.R.P.Murugan Raja, learned Government Advocate takes notice on behalf of the sixth respondent.

2.After hearing the learned counsel for the petitioner, learned Special Government Pleader for the first to fifth respondents and the learned Government Advocate for the sixth respondent, this writ petition is being disposed at the time of admission, by dispensing with notice and counter of the private respondent/sixth respondent, as no adverse orders are proposed to be passed against the private respondent/sixth respondent at this stage in this writ petition.

3.The petitioner has filed this writ petition for a Mandamus, to direct the first to fifth respondents to conduct enquiry pursuant to the petitioner's representation dated 31.12.2021 to take appropriate action against the seventh respondent who has allegedly cheated and swindled public money under the scheme of alleged gold loans and crop loans pertaining to Members of Agriculturist Accounts of the Primary Co-operative Bank Limited, Sendanadu, Ulundur Taluk, Kallakurichi District.

4.It is the case of the petitioner that the petitioner had taken two loans on 23.05.2012 and on 13.05.2014 and had pledged certain Jewellery Items. It is further case of the petitioner that despite the petitioner paying the amounts under the loan, the respondents have not returned the Jewellery Items which were pledged by the petitioner.

5.It is further case of the petitioner that the seventh respondent taken advantage of his position in the sixth

respondent Bank as a Secretary, has repledged the Jewellery Items of the petitioner and thereby he is making the petitioner to run from pillar and post for retrieving the pledged Jewellery Items.

6.The learned Special Government Pleader for the first to fifth respondents would submit that the representation of the petitioner appears to take action under Section 81 of the Tamil Nadu Panchayat Act, 1994. He submits that the representation of the petitioner will be considered and disposed on merits and in accordance with law.

7.Recording the above undertaking given by the learned Special Government Pleader for the first to fifth respondents, this writ petition is disposed by directing the official respondents/first to fifth respondents to pass appropriate orders and to take appropriate steps pursuant to the petitioner's representation dated 31.12.2021, within a period of six weeks from the date of receipt of a copy of this order.

8.Needless to state, before initiating further proceedings against the private respondent/seventh respondent, a proper notice shall be given to the private respondent/seventh respondent as ex-parte orders is being passed in this writ petition. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kallakurichi District,
Kallakurichi - 606 202.
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Chennai - 600 010.

3. The Additional Registrar of Co-operative Societies,
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Arumbakkam, Chennai - 600 106.
4. The Joint Registrar of Co-operative Societies,
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5. The Deputy Superintendent of Police,
Kallakurichi District, Kallakurichi.
6. The Authorized signatory,
The Sendanadu Primary Agriculture
Co-operative Bank Limited,
Sendanadu, Kallakurichi District.

+2cc to Mr.S.L.Sudharsanam, Advocate, S.R.No.37315

+1cc to the Government Pleader, S.R.No.38549

W.P.No.15344 of 2022

PM(CO)

RGA(15/07/2022) (21/07/2022)