

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

C O R A M

THE HON'BLE MS.JUSTICE V.M.VELUMANI

W.P.NO.14995 OF 2021

P.Thangavel

...Petitioner

Vs

1. The Director of Vigilance and Anti-Corruption,
(DVAC), No.293, M.K.N. Road, Alandhur,
Chennai - 600 016.
2. The Registrar of Cooperative Societies,
Kilpauk, Chennai -10.
3. The Deputy Registrar of Cooperative Societies,
Omalur Circle, Omalur,
Salem District.
4. The Secretary,
S.777, Nangavalli Primary Agricultural
Cooperative Credit Society,
Nangavalli Post, Mettur Taluk,
Salem District.

... Respondents

Prayer Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 2nd respondent to conduct elaborate enquiry in the affairs of the 4th respondent society by appointing not below rank of the Additional Registrar of Cooperative Societies and take further necessary action.

For Petitioner : Mr.C.Prakasam

For R1	: Mr.S.Ravikumar Special Government Pleader
For R2 & R3	: Mr.U.Baranidharan Additional Government Pleader
For R4	: Mr.K.M.D.Mugilan Government Advocate

ORDER

This Writ Petition is filed seeking for a direction to the 2nd respondent to conduct elaborate enquiry in the affairs of the 4th respondent society by appointing not below rank of the Additional Registrar of Cooperative Societies and take further necessary action.

2. Heard Mr.C.Prakasam, learned counsel appearing for the petitioner; Mr.S.Ravikumar, learned Special Government Pleader appearing for the 1st respondent; Mr.U.Baranidharan, learned Additional Government Pleader appearing for the respondents 2 & 3 and Mr.K.M.D.Mugilan, learned Government Advocate appearing for the 4th respondent.

3.According to the petitioner, he was working in 4th respondent Society and suspended from service as he did not cooperate with the 4th respondent. The 4th respondent along with the Clerk, Jewel Appraiser and 3rd respondent committed irregularities and the 4th respondent in collusion with the 3rd respondent misappropriated more than a sum of Rs.80 Lakhs. In this connection, the petitioner made several representations to the Higher Officials. The 3rd respondent conducted only an eye wash enquiry and communicated to the petitioner that a Committee was constituted for investigation but whenever the Investigation Officers comes to the Society, the 4th respondent managed the Committee and the Committee will not proceed with the investigation. In such circumstances, the petitioner made a complaint to the 1st respondent herein, Director of Vigilance and Anti Corruption. The petitioner received communication from the 1st respondent stating that his complaint was forwarded to the 2nd respondent for taking necessary action. The 2nd respondent has not conducted any enquiry on the affairs of the 4th respondent and not acted on the complaint of the petitioner forwarded by the 1st respondent. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the nature of relief sought for in the Writ Petition and above facts, especially, the letter dated 22.06.2021 issued by the 1st respondent to the petitioner stating that the complaint was forwarded to the 2nd respondent, the 2nd respondent is directed to consider the complaint of the petitioner which was forwarded by the 1st respondent and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rst

To:

1. The Director of Vigilance and Anti-Corruption,
(DVAC), No.293, M.K.N. Road, Alandhur,
Chennai - 600 016.
2. The Registrar of Cooperative Societies,
Kilpauk, Chennai -10.
3. The Deputy Registrar of Cooperative Societies,
Omalur Circle, Omalur,
Salem District.
4. The Secretary,
S.777, Nangavalli Primary Agricultural
Cooperative Credit Society,
Nangavalli Post, Mettur Taluk,
Salem District.

+1cc to the Government Pleader, S.R.No.11534

W.P.No.14995 of 2021

EV(CO)
RLP(10/03/2022)