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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.17893 OF 2020

E.V.Venkatesan

... Petitioner

.Vs.

1. The Director,
Directorate of Vigilence
and Anti Corruption,
No.293, M.K.N. Road,
Alandur, Chennai - 600 016.
2. The Joint Registrar,
The Office of the Joint Registrar
of Co-operative Societies,
Vellore Region,
Collector Office Campus,
Vellore, Vellore District,
Tamil Nadu - 632 012.
3. K.Karunakaran,
President,
VL Special 129,
Synampettai Primary Agricultural
Co-operative Bank,
Synampettai, Vellore District.

(Third Respondent impleaded vide
Order of this Court in W.M.P.No.270
of 2021 dated 10.06.2022)

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the first respondent to enquire the petitioner's complaint dated 18.08.2020 and to take appropriate action against the official, if they found guilty.



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For Petitioner : Mr.S.T.Varadarajulu

For Respondents

For R2 : Mr.M.Shahjahan
Special Government Pleader

For R3 : M/s.P.Kasthuri
For Mr.R.Neelakandan

ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the second respondent and Ms.P.Kasthuri, learned counsel for Mr.R.Neelakandan, learned counsel takes notice on behalf of the third respondent.

2. After hearing the learned counsel for the petitioner and the learned Special Government Pleader for the second respondent and the learned counsel for the third respondent and perusal of the counter affidavit filed on behalf of the second respondent, I am inclined to close this writ petition in the light of the following averments made in the counter affidavit filed by the second respondent:

"7. I State that the Co-op Sub-Registrar conducted detailed enquiry and submitted his report dated 30.07.2020 finding loss caused to the tune of Rs.52,74,703/- under various heads.

8. I State that the Deputy Registrar of Co-op Societies, Vellore Circle, vide his proceedings dated 08.09.2020 based on the above said report has initiated Sur-charge proceedings as provided under Section 87(1) of the Tamil Nadu Co-operative Societies Act, 1983.

9. I State that vide the above notice of Sur-charge the Deputy Registrar of Co-op Societies, Vellore Circle has called for written statements from the President, the Secretary (In charge), the Secretary under suspension of the said Sainampattadai Primary Agricultural Co-op Society



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Ltd. Thus statutory proceedings have been initiated into the affairs of the said Society.

10. I state that the Deputy Registrar of Co-operative Societies, Vellore, vide his letter dated 02-12-2020 has also sent a proposal to call for explanation as to why the Board of Directors of the said Society shall not be disqualified as provided for under Section 36(1) of the Tamil Nadu Co-operative Societies Act.

11. I further state that a Complaint has been lodged with the Commercial Crimes Investigation Wing of the Police Department by the Deputy Registrar, Vellore Circle, for investigation and criminal actions provided for in Law vide his Letter R.C.No.2069/2020/Sapa Dated 02.12.2020."

3. In view of the above, this Writ Petition stands closed.
No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

arb

To

1. The Director,
Directorate of Vigilance
and Anti Corruption,
No.293, M.K.N. Road,
Alandur, Chennai - 600 016.
2. The Joint Registrar,
The Office of the Joint Registrar
of Co-operative Societies,
Vellore Region,
Collector Office Campus,
Vellore, Vellore District,
Tamil Nadu - 632 012.



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3. K.Karunakaran,
President,
VL Special 129,
Synampettai Primary Agricultural
Co-operative Bank,
Synampettai,
Vellore District.

+1cc to Mr.S.T.Varadarajulu, Advocate, S.R.No.34279
+1cc to the Government Pleader, S.R.No.35097

W.P.NO.17893 OF 2020

NRJK(CO)
PBS/05/07/2022