



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 32374 of 2017

G. Gunasundari

... Petitioner

-vs-

1. The Registrar of Co-operative Society,
Office of the Registrar of Co-operative Society,
No. 170, E.V.R. High Road,
Kilpauk,
Chennai - 600 010.
2. The Joint Registrar of Co-operative Society,
Office of the Joint Registrar of Co-operative Society,
Ariyalur,
Ariyalur District.
3. Crocin Hilta Rani,
Secretary of YA-89, Periyathukurichi Primary
Agricultural Co-operative credit society,
Periyathukurichi,
Andimadam Taluk,
Ariyalur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the First and Second Respondents to consider the Petitioners complaint dated 18.11.2017 and order inquiry on the Petitioner's complaint with regard to the misappropriation of money and take necessary action against Third Respondent and other officials of the periyathukurichi Primary Agricultural Co-op Society bank.

For Petitioner : Mr. P.R.Thiruneelakandan

For Respondents: Mr. P.Balathandayutham
Special Government Pleader
(for R1 and R2)

Mr. S.K. Rajendran (for R3)



O R D E R

Heard Mr. P.R.Thiruneelakandan, Learned Counsel for the Petitioner and Mr.P.Balathandayutham, Learned Special Government Pleader appearing for the First and Second Respondents and Mr. S.K.Rajendran, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that when 'No Dues' certificate was sought by her from YA-89, Periyathukurichi Primary Agricultural Co-operative Credit Society for obtaining loan from another Co-operative Society, the Third Respondent as its Secretary had made an endorsement that though there are no dues from the Petitioner, her father owed Rs. 71,374/- and in view of the same, it had not been possible for her to proceed further for sanction of that loan. In such circumstances, she had sought for an enquiry into the matter against the Third Respondent by the First and Second Respondents.

3. It has been stated in the Counter-Affidavit dated 06.03.2018 filed by the First and Second Respondents that it was the brother of the father of the Petitioner who had dues and that it had been stated by mistake as if the liability was that of her father. In such circumstances, the Petitioner is not precluded from making fresh application for 'No Dues' Certificate from the concerned authorities in accordance with law and nothing remains for further consideration in this Writ Petition.

In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

skr

To

1. The Registrar of Co-operative Society,
Office of the Registrar of Co-operative Society,
No. 170, E.V.R. High Road,
Kilpauk,
Chennai - 600 010.



2. The Joint Registrar of Co-operative Society,
Office of the Joint Registrar of Co-operative Society,
Ariyalur,
Ariyalur District.

WEB COPY

3. The Secretary of YA-89, Periyathukurichi Primary
Agricultural Co-operative credit society,
Periyathukurichi,
Andimadam Taluk,
Ariyalur District.

+1cc to Mr. S.K. Rajendran , Advocate, S.R.No.32266

+1cc to the Government Pleader, S.R.No.32564

W.P. No. 32374 of 2017

GSM(CO)
CT 13/06/2022