



W.P.No.33080 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.No.33080 of 2022

M.Jayakumar, M/41
S/o.Muthusamy,
No.31, Thulukkampalayam,
Thoppupalayam Post,
Chennimalai – 638 051,
Erode District.

... Petitioner

-Vs.-

- 1.The Commissioner of Handloom,
2nd Floor, Kuralagam,
Chennai – 108.
- 2.The Director,
Directorate of Vigilance and Anti-Corruption (DVAC),
No.293, M.K.N Road,
Alandur,
Chennai – 600 016.
- 3.B.Senthilnathan,
Senior Clerk,
Chennimalai Metro Primary Handloom
Weavers Cooperative Production and
Sale Society Ltd., CH-7,
No.61, Thirugnana Sambanthar Street,
Chennimalai,
Erode District.



W.P.No.33080 of 2022

4.S.Ramalingam

Ex-Senior Clerk

Chennimalai Metro Primary Handloom

Weavers Cooperative Production and
Sale Society Ltd., CH-7,

No.61, Thirugnana Sambanthar Street,
Chennimalai,
Erode District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents 1 and 2 to conduct proper enquiry against the irregularities committed by the respondents 3 and 4 and other persons and take appropriate action against them by recovery of the misappropriate fund from them.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Ravikumar
Special Government Pleader, for R1 & R2

ORDER

Captioned writ petition has been filed by an individual who claims to be a member in 'Chennimalai Metro Primary Handloom Weavers Cooperative Production and Sale Society Ltd., CH-7' [hereinafter 'said society' for the sake of convenience and clarity]. This Court is informed that said society is governed by 'Tamil Nadu Co-



W.P.No.33080 of 2022

operative Societies Act, 1983' [hereinafter 'said Act' for the sake of convenience and clarity].

2.Writ petitioner submits that he petitioned the second respondent after collecting certain information regarding some alleged malpractices qua said society. Writ petitioner also draws the attention of this Court to a communication dated 15.11.2022 from the second respondent to the Writ petitioner wherein it has been mentioned that the writ petitioner's petition dated 09.09.2022 has been forwarded to the first respondent.

3.Mr.S.Ravikumar, learned Special Government Pleader who accepts notice on behalf of the respondents 1 and 2 submits that inquiry under Section 81 of said Act has since been kick started and learned State Counsel has placed before this Court proceedings of first respondent dated 14.12.2022 bearing reference Na.Ka.No.26205/2022/G1.

4.Though obvious, proceedings under Section 81 of the said Act would necessarily mean private respondents 3 and 4 will be put on notice as part of the inquiry. Therefore rights of respondents 3 and 4 are



W.P.No.33080 of 2022

not affected in any manner by disposal of this writ petition.

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5.As Section 81 inquiry has been kick started and the same is under way, in the considered view of this Court nothing really remains in the captioned writ petition. Therefore, captioned writ petition is disposed of as closed, recording the stated position of the learned State Counsel. There shall be no order as to costs.

21.12.2022

Index: yes/no

pgp

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W.P.No.33080 of 2022

M.SUNDAR, J.,

pgp

W.P.No.33080 of 2022

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