



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition No.32729 of 2019  
and W.M.P.No.33151 of 2019

Vriddhachalam Taluk Co-operative  
Housing Society Ltd, SAHSG 56  
No.2, Kattukudalure Road  
Thiru.Vee.Kaa. Nagar  
Vriddhachalam - 606 001.  
Represented by its Secretary  
S.Ramakrishnan, S/o.Subbarayan.

...Petitioner

Vs.

1.The Deputy Registrar of Co-operative  
Societies (Housing), Cuddalore Region  
O/o. Regional Co-operative Societies  
(Housing), South Kavarai street  
Manjakuppam, Cuddalore.

2.The Enquiry Officer/Co-operative  
Sub-Registrar (HMS)  
Regional Co-operative Housing Societies  
South Kavarai street  
Manjakuppam, Cuddalore.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the  
Constitution of India, praying for issuance of a Writ of  
Certiorari calling for the records of the 1<sup>st</sup> respondent  
culminating in passing of the impugned proceedings in  
Na.Ka.677/2019/Ki.Vi.Thi dated 22.08.2019 and quash the same.

For Petitioner : Mr.V.Venkatesan  
for Mr.P.P.Shanmugasundaram

For Respondents : Mr.S.Prabhakaran  
Government Advocate



## O R D E R

This Writ Petition is filed for issuance of a Writ of Certiorari calling for the records of the 1<sup>st</sup> respondent culminating in passing of the impugned proceedings in Na.Ka.677/2019/Ki.Vi.Thi. dated 22.08.2019 and quash the same.

2.The learned counsel appearing for the petitioner submitted that the petitioner Society has filed this Writ Petition challenging the order of the 1<sup>st</sup> respondent dated 22.08.2019 directing to conduct inspection under Section 82 of the Tamil Nadu Co-operative Societies Act (hereinafter referred to as 'the Act'). Earlier inspection under Section 82 of the Act was ordered and conducted and Inspection Officer has given report on 31.01.2019 to the 1<sup>st</sup> respondent. Based on the said report, the 1<sup>st</sup> respondent directed the President of petitioner Society to take disciplinary action against the then Secretary on 10.05.2019, which was signed on 13.05.2019. The then Secretary retired on 31.07.2019. In view of the earlier inspection and report filed by the Inspection Officer, the present impugned order ordering inspection is illegal and prayed for setting aside the said order.

3.The learned Government Advocate appearing for the respondents submitted that the present inspection ordered is for the period up to 31.07.2019 and for specific irregularity committed by the management of the Society as reported by the Committee. The earlier inspection ordered and conducted does not cover the present period and irregularities mentioned in the impugned order, there is nothing wrong in ordering the present inspection and prayed for dismissal of the Writ Petition.

4.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents and perused the entire materials on record.

5.From the above rival submissions, it is seen that earlier inspection was ordered by the 1<sup>st</sup> respondent, inspection was conducted for the period 2018 - 2019 and Inspection Officer submitted his report dated 31.01.2019 recommending disciplinary proceedings against the then Secretary of petitioner Society. From the impugned order of the 1<sup>st</sup> respondent, it is seen that inspection is ordered up to 31.07.2019 to find out whether any irregularities committed in respect of specific items mentioned in the impugned order. The present inspection is for the subsequent period and cannot be termed as illegal. The



contentions raised by the petitioner in this Writ Petition are devoid of merits and Writ Petition is liable to be dismissed.

6. For the above reasons, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Deputy Registrar of Co-operative  
Societies (Housing), Cuddalore Region  
O/o. Regional Co-operative Societies  
(Housing), South Kavarai street  
Manjakuppam, Cuddalore.

2. The Enquiry Officer/Co-operative  
Sub-Registrar (HMS)  
Regional Co-operative Housing Societies  
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Manjakuppam, Cuddalore.

+1 CC to Mr.P.P.Shanmuga Sundaram, Advocate sr 12966  
+1 CC to The Government Pleader sr 13385.

W.P.No.32729 of 2019  
and W.M.P.No.33151 of 2019

MG(CO)  
SP(25/03/2022)