



WEB COPY



WP.No.10901/2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.09.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.10901/2017 & WMP.No.11851/2017

A.Kumaresan

... Petitioner

Versus

1.The Joint Registrar of Cooperative Societies
Thiruppathur, Thiruppathur District.

2.The Deputy Registrar of Cooperative Societies
[PDS]. Thiruppathur, Thiruppathur District.

... Respondents

**** RR1&2 cause title suo motu amended
vide order dated 29.08.2023 made in
WP.No.10901/2017**

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records of the 1st respondent impugned order in Rc.No.1748/2017/A1 dated 18.04.2017 passed by the 1st respondent herein and quash the same.

For Petitioner	:	Mr.M.Vijay Anand
For Respondents	:	Mr.S.Ravikumar, Spl.GP



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ORDER

- (1) The writ petition has been filed in the nature of a certiorarified mandamus seeking records of the 1st respondent, Joint Registrar of Cooperative Societies, Tirupathur, dated 18.04.2017 and to quash the same.
- (2) The petitioner had joined as Junior Inspector in the Cooperative Department at Krishnagiri on 22.01.1986 and then, was transferred to various other Cooperative Societies and then was promoted as Senior Inspector in 1995 and was posted as Deputy Registrar of Cooperative Societies, Tirupathur. During his tenure at that office, he was also directed to officiate as Special Officer [Incharge] for four Societies. It had been further stated that certain irregularities had been detected in the accounts of the Bank of one of those Cooperative Societies namely, Girisamudiram Primary Agricultural Cooperative Credit Society. An enquiry under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983, was initiated and a Report was filed on 15.05.2008 confirming the irregularities in the Bank account. The Disciplinary Proceedings were also initiated and the Secretary of the



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said Society was actually dismissed from service. It had been stated that however, the petitioner was also inflicted with punishment. Thereafter, Surcharge Proceedings were also initiated. An FIR in Crime No.1/2009 had also been registered by CCW-CID, Vellore. The Final Report was filed and was taken cognizance as CC.No.15/2012 before the learned Judicial Magistrate No.2, Vellore.

- (3) Instructions have been forwarded by the learned Special Government Pleader that the said Calendar Case is now pending trial and evidence is being recorded.
- (4) The charges had been framed under Sections 408, 465, 467, 468, 471, 477A of IPC read with Section 120[B] of IPC. The petitioner is the third accused in the said Calendar Case. Since the criminal case is pending, it would be extremely inappropriate on the part of this Court to consider any request by the petitioner herein. The writ petition has been filed questioning an order of suspension. But any order can be passed only depending upon the result of the criminal case. The learned counsel for the petitioner also stated that in spite of efforts, they could not contact the petitioner. It is thus clear that the



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petitioner had also deserted his own counsel. But that could not be reason for keeping the writ petition on the board of this Court.

(5) The writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

13.09.2023

AP

Internet : Yes

To

- 1.The Joint Registrar of Cooperative Societies
Thiruppathur, Thiruppathur District.
- 2.The Deputy Registrar of Cooperative Societies
[PDS]. Thiruppathur, Thiruppathur District.



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C.V.KARTHIKEYAN, J.,

AP

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