



W.P.(MD)No.6307 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.6307 of 2015

and

M.P.(MD).No.1 of 2015

S.Anthony

... Petitioner

Vs.

- 1.The Commissioner and Director of Fisheries,
ADMIN Buildings,
Teynampet,
Chennai-6.
- 2.The Joint Director of Fisheries (Regional)
No.166, North Beach Road,
Thoothukudi-1,
Thoothukudi District.
- 3.The District Collector,
Kanyakumari District,
Nagercoil.
- 4.The Deputy Director of Fisheries (Regional)
Distillery Road, Vadaseri,
Nagercoil,
Kanyakumari District.



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5. The Assistant Director of Fisheries,
Distillery Road, Vadaseri,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to take necessary action including criminal prosecution against the president, Thovalai Taluk Inland Fisherman Co-operative Society F.(K.K.)1 based on the petitioners Sangam representation dated 23.03.2015.

For Petitioner :Mr.K.Vamanan

For Respondents :Mr.M.Prakash
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a mandamus, directing the respondent to take necessary action including criminal prosecution against the president, Thovalai Taluk, Inland Fisherman Co-operative Society F(K.K.)1 based on the petitioners sangam representation, dated 23.03.2015.



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2. Today, when the matter is taken for hearing a status report has been filed by the fifth respondent, wherein, it has been specifically stated that various petitions have been received from the petitioner on 23.03.2015 has been looked upon and an enquiry was ordered by the Functional Registrar/Assistant Director of Fisheries, under Section 81 of the of the Tamil Nadu Co-operative Societies Act, 1983. The Enquiry Officer had filed a report, recommending surcharge proceedings under Section 87 of the Tamil Nadu Co-operative Act, 1983 and also disqualification of the board under Section 36 of the Tamil Nadu Cooperative Societies Act, 1983. Pursuant to the said recommendation, surcharge proceedings have been initiated for an amount Rs.2,25,000/- and the same was collected from the President and remitted back to the account of Thovalai Inland Fishermen Cooperative Society (FKK-1). The proceedings of the disqualification of the board under Section 36 of Tamil Nadu Cooperative Societies Act, 1983 has also been completed.

3.In view of the specific status report, action has been initiated, based upon the representation of the petitioner and hence, no further



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adjudication is required to be made in this writ petition.

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4.The proceedings under Section 36 of the Tamil Nadu Cooperative Societies Act, 1983, shall be expedited and completed within a period of three months from the date of receipt of a copy of this order.

5.With the above directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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NCC :Yes/No
Internet :Yes/No
Index : Yes / No
sbm



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K.KUMARESH BABU, J.

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