



WP(MD)No.18234 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.04.2023

CORsAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP (MD) No.18234 of 2016

and

WMP (MD) No.2966 of 2017

A.Ponraj

... Petitioner

Vs

1.The District Collector,
Thoothukudi.

2.The Registrar of Co-Operative Societies,
Kilpauk,
Chennai.

3.The Joint Registrar,
Co-Operative Societies,
Tuticorin District.

4.The Deputy Registrar,
Co-Operative Societies,
Ettiyapuram Road,
Kovilpatti -628 501,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to take action based on the petitioner's representation dated 12.09.2016 within stipulated time fixed by this Court.



WP(MD)No.18234 of 2016

For Petitioner : Mr.K.Gokul

For Respondents : Mr.J.K.Jayaseelan,
Government Advocate

ORDER

This writ petition has been filed for a writ of mandamus directing the respondents to take action based on the petitioner's representation dated 12.09.2016 within a stipulated time.

2.The grievance of the petitioner is that the Government have provided a sum of rupees one crore for distribution of crop loan to the Primary Agricultural Co-Operative Bank, Oothupatti in the year 2016 and this fund has been misappropriated by the officers of the society and therefore, the petitioner has submitted a representation to the authorities concerned for necessary action and the authorities have failed to take action and therefore, this writ petition is filed.



WP(MD)No.18234 of 2016

3.The 2nd respondent the Registrar of Co-Operative Society has filed an affidavit stating that he is not a necessary party to the writ petition that the petitioner has not challenged any of his orders and therefore, he must be exonerated from this proceedings.

4.The learned Government Advocate appearing for the respondents submits that though this writ petition has been filed for a writ of mandamus for taking action based on the complaint of the petitioner, pending this writ petition, based on his complaint, an enquiry under Section 81 of the Tamil Nadu Co-Operative Societies Act, has been contemplated and based on the enquiry report, the Deputy Registrar of Co-Operative Societies, Kovilpatti vide his proceedings dated 05.07.2019 ordered for recovery of the amount from the persons concerned with interest under Section 87 of the Act. The learned Government advocate further submits that the above proceedings dated 05.07.2019 has not been challenged as of now and the officials have been advised to file execution petition in respect of the proceedings dated 05.07.2019.



WP(MD)No.18234 of 2016

5. In view of the said submission made by the learned Government Advocate, this writ petition is disposed of with a direction to the respondents to take necessary steps to implement the order dated 05.07.2019 without any further delay. No costs. Consequently connected miscellaneous petition is closed.

24.04.2023

Internet : Yes / No

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WP (MD) No.18234 of 2016

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WP (MD) No.18234 of 2016

B. PUGALENDHI, J.

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WP (MD) No.18234 of 2016

24.04.2023