



W.P.No.11673 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.11673 of 2021
and W.M.P.No.12427 of 2021

T.K.Prabakaran

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Cooperation, Food and Consumer,
Protection Department,
Fort St. George, Chennai 600 009.

2.The Secretary,
Tamil Nadu Vigilance Commission,
Chennai 9.

3.The President,
K.K.106, Kaveripattinam Agricultural Producers
Cooperative Marketing Society,
Salem Main Road,
Kaveripattinam, Krishnagiri District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the first respondent from initiating disciplinary proceedings on the basis of the communication sent by the second respondent in Letter No.850/VC-1/2020-1, dated 03.03.2021.



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For Petitioner : Mrs.T.Hemalatha for
Mr.C.Prakasam
For Respondents : Mr.T.Chezhiyan, AGP for R1 & R2
Mr.P.Sathish, AGP for R3

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to forbear the first respondent from initiating disciplinary proceedings on the basis of the communication sent by the second respondent in Letter No.850/VC-1/2020-1, dated 03.03.2021.

2. Heard Mrs.T.Hemalatha, learned counsel for the petitioner, Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 1 and 2 and Mr.P.Sathish, learned Additional Government Pleader for the 3rd respondent.

3. The petitioner was working as Joint Registrar of the Cooperative Societies, Krishnagiri District. An FIR has been registered against the petitioner in pursuant to a complaint given before the Vigilance and Anti-corruption, Krishnagiri in Crime No.1/AC/2021 dated 05.02.2021 for the



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alleged offences under Sections 7(c) and 13(2) r/w.13(1)(a) r/w.120(B), 409, 420, 465, 468, 471 & 477(A) of IPC. Therefore, the petitioner is before this Court.

4. The learned Additional Government Pleader for the respondents 1 to 2 submitted that the first respondent has returned the sanction to get sanction of the second respondent to prosecute the petitioner and the process is still pending. In such circumstances, the petitioner has come with this petition in a pre-matured manner.

5. The petitioner is not covered under Co-operative Societies Act as he was working as the Joint Registrar of the Co-operative Societies Act which falls within the purview of the Government.

6. As the petitioner has filed this Petition in a pre-matured manner, this Writ Petition is disposed with the suggestion that the petitioner shall make himself available for departmental enquiry and face enquiry proceedings. No costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes /No
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R.N.MANJULA, J.

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To

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