



W.P.No.1939 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1939 of 2021

and W.M.P.Nos.26394 of 2021 and 23559 of 2022

K.Samidurai

... Petitioner

Vs

1. State of Tamil Nadu,
Represented by the Secretary to Government,
Department of Co-operation,
Fort St. George, Chennai – 600 009.
2. Registrar of Cooperative Societies,
170, N.V.Natarajan Maligai,
Periyar E.V.R.High Road,
Poonamallee High Road,
Kilpauk, Chennai – 600 010.
3. The District Collector,
Nagapattinam District.
4. The Chairman / Joint Registrar,
O/o.The Joint Registrar of Cooperative Societies,
Room No.303, 3rd Floor,
District Collector Office Complex,
Nagapattinam, Pincode: 611 003.
5. The Deputy Registrar of Cooperative
Societies,
Office of the Deputy Registrar of Cooperative Societies,
Deen Plaza Complex, Mayiladuthurai.



W.P.No.1939 of 2021

6. The President,
No.2972 Pagasalai Primary Agricultural
Cooperative Credit Society Ltd,
Main Road, Pagasalai,
Pagasalai Post, Sirgazhi Taluk.

7. The Secretary (Incharge),
No. 2972, Pagasalai Primary
Agricultural Cooperative Credit Society Ltd,
Pagasalai,
Pagasalai Post, Sirgazhi Taluk.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 5th respondent herein, The Deputy Registrar of Co-operative Society, Mayiladuthurai or any other respondent herein, who is more competent to initiate effective disciplinary action and Inquiry under Section 81 of Tamilnadu Cooperative Society's Act 1983 against the 7th respondent Ms.Baby, D/o.Balaguru who has been functioning as the Secretary (In charge) of No.2972, Pagasalai Primary Agricultural Co-operative Credit Society Ltd, for the laches, irregularities and misappropriation of Government Fund in advancing agricultural loan to the members and non members of the above said credit Society in total negation of Pradan Mantri Fasalbima Yojana (PMFBY) guidelines and thereby caused loss to the Government exchequer to the extent of several lakhs of rupees.

For Petitioner	: Mr.K.Murthy
For R1 to R5	: Mr.S.Ravikumar
	Special Government Pleader

ORDER



W.P.No.1939 of 2021

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2. Heard and perused the materials available on record.

3. It is seen that the petitioner submitted a representation to initiate effective disciplinary action and Inquiry under Section 81 of Tamilnadu Cooperative Society's Act 1983 against the 7th respondent. After a period of four weeks, the representation submitted by the petitioner cannot be considered now, without knowing that whether the representation is available or not and also without knowing the present status.



W.P.No.1939 of 2021

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4. Therefore, the petitioner is at liberty to submit a fresh representation before the fifth respondent on fresh cause of action, if so advised. On receipt of the said representation, the fifth respondent is directed to dispose of the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of representation from the petitioner.

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

25.09.2024
(2/2)

Internet: Yes
Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order
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To

1. The Secretary to Government,
State of Tamil Nadu,



W.P.No.1939 of 2021

Department of Co-operation,
Fort St. George, Chennai – 600 009.

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2. Registrar of Cooperative Societies,
170, N.V.Natarajan Maligai,
Periyar E.V.R.High Road,
Poonamallee High Road,
Kilpauk, Chennai – 600 010.
3. The District Collector,
Nagapattinam District.
4. The Chairman / Joint Registrar,
O/o.The Joint Registrar of Cooperative Societies,
Room No.303, 3rd Floor,
District Collector Office Complex,
Nagapattinam, Pincode: 611 003.
5. The Deputy Registrar of Cooperative
Societies,
Office of the Deputy Registrar of Cooperative Societies,
Deen Plaza Complex, Mayiladuthurai.
6. The President,
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Cooperative Credit Society Ltd,
Main Road, Pagasalai,
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7. The Secretary (Incharge),
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Agricultural Cooperative Credit Society Ltd,
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G.K.ILANTHIRAIYAN. J.

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W.P.No.1939 of 2021

W.P.No.1939 of 2021

25.09.2024