



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.31613 of 2024
and W.M.P.No.34365 & 34366 of 2024

C.Manimaran

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Ariyalur Region, Ariyalur,
Ariyalur District.

2.The Deputy Registrar of Cooperative Societies,
Ariyalur Circle,
Ariyalur District.

3.The Sub registrar/Enquiry Officer,
TY.SPL.107, Thathanur Primary Agricultural Cooperative Credit Society,
Thathanur Village & Post – 621 804,
Udayarpalayam Taluk,
Ariyalur District.

4.The Administrator,
TY.SPL.107, Thathanur Primary Agricultural Cooperative Credit Society,
Thathanur Village & Post – 621 804,
Udayarpalayam Taluk,
Ariyalur District.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the entire records relating to the impugned enquiry report dated 06.05.2024 submitted by the 3rd respondent to the 2nd respondent and quash the same.

For Petitioner : Ms.R.Hemalatha

For Respondents : Mr.V.Nanmaran
Additional Government Pleader
for R1 and R2

Mr.P.Gurunathan
Additional Government Pleader
for R3 and R4

ORDER

This writ petition has been filed challenging the report filed under Section 81 of the Co-operative Societies Act submitted by the 3rd respondent to the 2nd respondent.

2.Heard Ms.R.Hemalatha, learned counsel appearing on behalf of the petitioner, Mr.V.Nanmaran, learned Additional Government Pleader appearing on behalf of respondents 1 and 2 and Mr.P.Gurunathan, learned Additional Government Pleader appearing on behalf of respondents 3 and 4.



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3. In the considered view of this Court, a report submitted under Section 81 of the Co-operative Societies Act cannot become a subject matter of challenge, since it is only a fact finding report. The Division Bench of this Court has held so in the judgment in *P.Krishnan vs. Deputy Director of Industries and Commerce and Others* reported in *2020 2 LW 849*.

4. In view of the above, the relief sought for in the present writ petition cannot be granted by this Court. If ultimately, the above report is acted upon and proceedings are initiated, only then the petitioner will get a cause of action to question the same. Except giving this clarity, no further orders can be passed in this writ petition.

5. In the result, this writ petition is disposed of in the above terms. No Costs. Consequently, connected miscellaneous petitions are closed.

29.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
SSR



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N. ANAND VENKATESH, J.

SSR

To

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