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W.P.No.32114 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.32114 of 2024

G. Narayanan

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
170, N.V.Natarajan Maligai,
Poonamalli High Road,
Kilpauk,
Chennai 600 010.
2. The Joint Registrar of Co-Operative Societies,
Dharmapuri District 636 705.
3. The Deputy Registrar of Co-operative Societies,
Dharmapuri – 636 705.
4. The Special Officer
KK 168, Primary Agricultural Co-operative
Credit Society, Naripalli, (P.O.), Harur (T.K.)
Dharmapuri (Dt.) - 636 907.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st to 4th respondents herein, to issue the certified the copies of document as claimed in the



petitioner's representation dated 17.08.2024 and 12.09.2024 on receipt of the fees as per Rule 173 of Tamil Nadu Co-operative Societies Rules, 1988.

For Petitioner .. Mr.B.Syed Abdul Wakeel

For Respondents .. Mr.P.Ganesan
Govt. Advocate for R1 to R3
Mr.T.Arun Kumar
Additional Government Pleader
for R4

ORDER

This writ petition has been filed to issue a Writ of Mandamus to direct the 1st to 4th respondents herein, to issue the certified copies of document as claimed in the petitioner's representation dated 17.08.2024 and 12.09.2024 on receipt of the fees as per Rule 173 of Tamil Nadu Co-operative Societies Rules, 1988.

2. Heard both sides and perused the materials available on record.

3. The petitioner is a member of the 4th respondent KK 168 Primary Agricultural Co-operative Society, at Harur, Dharmapuri district. According to him owing to various complaint of misappropriation of amount, an



enquiry was conducted. The petitioner is deeply aggrieved by the fact that proper enquiry was not conducted. As a matter of fact, it is submitted that re-enquiry was conducted which is not contemplated under the rules. The petitioner wanted copies of all those enquiry records and connected documents. An objection has been raised on behalf of the 4th respondent that the petitioner is not directly involved in the said issue and that those who have been charged with misappropriation have been proceeded in the manner known to law and quite apart from departmental action, criminal complaints have also been lodged. It has been stated that if the petitioner is to bring any specific information he can always join with the 4th respondent and forward the information to help further prosecution of the individuals against whom such prosecution has been lodged. But it is stated that furnishing of the copies of the reports would not be possible since the privacy of the individuals against whom those reports were focused would also have to be respected.

4. The learned counsel for the petitioner forwarded an order passed in W.P.No.12501 of 2023 filed by one R.Kannan, wherein he had sought for quashing the summon dated 14.02.2023 issued by the 4th respondent therein



namely the Sub Registrar of Co-operative Society/Enquiry Officer of Section 81 of the very same 4th respondent Society herein namely KK 168, Primary Agricultural Cooperative Credit Society Naripalli, (P.O.), Harur (T.K), Dharmapuri District. The writ petitioner therein had sought that any other enquiry officer may be appointed. The learned single Judge had observed that the petitioner should be fully informed of the proceedings. It had also been stated that there might be some merit in the allegation of bias which had been made by the writ petitioner therein.

5. The learned Additional Government Pleader appearing for the 4th respondent herein stated that in order to avoid any such allegation, a further enquiry has been conducted in a detailed manner and a criminal complaint has also been lodged. Now the matter will have to take its own course and the petitioner and other members will have to await final orders to be passed subsequent to the said enquiry.

6. I am not inclined to grant a mandamus, but liberty is granted to the respondents to consider the representation if they so desire and pass any order they want. This Court cannot issue any positive direction to the



respondents to grant copy of any report to the petitioner since technically he is not an aggrieved party. If the petitioner is interested he could offer to assist the 4th respondent in the process of enquiry. The writ petition stands dismissed. However the respondents may pass any order in the representation given by the petitioner. No costs.

14.11.2024

Index: Yes/No
Internet: Yes/No
dpq

To

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C.V.KARTHIKEYAN, J.

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