



W.P(MD)No.9576 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9576 of 2024

A.David

... Petitioner

Vs.

1.The Registrar,
Co-Operative Societies,
No.170, NV Natarajan Madilligai,
Periyar EVR High Road,
Ponnamallee High Road,
Kilpaulk, Chennai.

2.The District Registrar,
Co-Operative Societies,
Nagercoil,
Kanyakumari District.

3.The Deputy Registrar,
Co-Operative Societies,
Thakkaly,
Kanyakumari District.

4.Y.228, Kalkulam Villavancode,
Taluk Co-Operative Marketing Society,
Main Road, Marthandam,
Kanyakumari District.
Rep by its Secretary.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents 1 to



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3 consider the representation of the petitioner 24.02.2023 and take approach action against 4th respondent.

For Petitioner : Ms.D.Sarayana

For Respondents : Mr.S.Kameswaran,
Government Advocate.

ORDER

Heard the learned counsel on either side.

2.The petitioner had advanced a sum of Rs.50,000/- to the fourth respondent for purchasing crackers. This was in the year 2010. The petitioner alleges that neither the crackers were supplied nor the amount was returned. The petitioner has given complaint in this regard. He wants the Writ Court to direct the authorities to take action against the fourth respondent.

3.The learned Government Advocate for the respondents would submit that as per the audit report, the amount was returned to the petitioner. But submission of an audit report cannot be the proof for repayment or refund. These are matters in which the Writ Court cannot issue any direction. That apart, the petitioner has moved this Court after a lapse of 14 years. The Hon'ble



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Supreme Court has even recently reminded the High Courts that persons invoking the jurisdiction under Article 226 of the Constitution of India after considerable delay ought not to be granted relief (***Civil Appeal No.5027 of 2024 [Marinmoy Maity Vs. Chhanda Koley]***). In any event, this is a matter that is left to the discretion of the authorities to take note of and initiate remedial action.

4.With this observation, this writ petition is disposed of. No costs.

22.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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3.The Deputy Registrar,
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4.The Secretary,
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