



W.A.(MD)No.1215 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2024

CORAM:

**THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.A.(MD)No.1215 of 2017

V.Vimala

.. Appellant/writ petitioner

Vs.

1.The Registrar of Co-operative Societies/
Special Officer of Co-operative Society,
E.V.R.Highways,
Kilpak, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Assistant Director,
Co-operative Audit Department,
Roman Church Complex,
Ramanathapuram.

4.The Joint Registrar,
Co-operative Department,
Ramanathapuram.

5.The Deputy Registrar of Co-operative,
Co-operative Department,
Singarathoppu, Paramakudi,
Ramanathapuram District.



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6.The Special Officer,
R.D.C.C Bank,
Head Office, Vandikkara Street,
Ramanathapuram.

7.Yoga.Kottai Kannan

8.M.Meenakshi Sundaram

.. Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent to set aside the order dated 06.07.2017 passed in W.P(MD)No.1255 of 2017.

For Appellant : Mr.R.Babu Jaganath

For Respondents : Mr.M.Prakash
Addl. Govt. Pleader for R1 to R5

:Mr.D.Shanmugaraja Sethupathi for R6

: Mr.Y.Prakash for R8

: No appearance for R7

JUDGMENT

(Judgment of the Court was delivered by **V.BHAVANI SUBBAROYAN, J.**)

The appellant is the petitioner before the writ Court. She filed the writ petition seeking for issuance of writ of mandamus directing the respondents 1 to 6 to take action as against the respondents 7 and 8 on the basis of the complaint (representation) of the petitioner dated 05.04.2017. The writ



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Court was of the view that there was no material available to make out a case against the respondents 7 and 8, who are the President and Secretary of the Kavadiipatti Primary Agricultural Cooperative Credit Society, Kamuthi Taluk, Ramanathapuram District, and also had a *prima facie* view that the said complaint was a motivated one with some malice intention. Hence, the writ petition was dismissed. Challenging the same, the appellant filed this appeal before this Court.

2. The learned Additional Government Pleader, on instructions would submit that already the Joint Registrar, Co-operative Societies, Paramakudi, Ramanathapuram District had given an instruction vide his proceedings dated 03.11.2017 in Na.Ka.No.1785/2017 Sa.Pa(3) wherein he had instructed to take appropriate action against the persons, who committed irregularities in the matter of disbursing the agricultural loans and jewel loans during the year 2015-16 in Q1285 Kavadiipatti Primary Co-operative Society and also in the matter of waiver of agricultural loans availed by the medium and small farmers, pursuant to the waiver scheme issued on 31.03.2016. Further, on receipt of the complaints in this regard, in order to take proper action against the erring officials under Section 81 of the Tamil Nadu Co-operative Societies Act 1983, the Sub Registrar, Kamuthi was appointed as enquiry officer and accordingly,



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enquiry was conducted and the said appointment of enquiry officer was also challenged before this Court in W.P(MD)No.3719 of 2019 since the said enquiry officer was very much associated with the team that identified the list of beneficiaries. Hence, vide order dated 08.12.2022 in W.P(MD)No.3719 of 2019, this Court remitted back the matter to the second respondent to appoint some other enquiry officer and the same may be concluded within a period of three months from the date of receipt of a copy of that order.

3. In view of the above, nothing survives in this writ appeal and hence, this Writ Appeal is dismissed as infructuous. No Costs.

[V.B.S.,J.] [K.K.R.K.,J.]
04.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes
PJJ

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