



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.01.2025

CORAM

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

W.P.No.496 of 2025

and

W.M.P.No.585 of 2025

Bharathi

.. Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies
Ranipet Circle, Ranipet – 632 403.

2.Enquiry Officer / Section 81 Officer,
VL SPL. 81 T.K Thangal Town Co-operative Credit Society,
Thenkadapan Thangal, Walaja Taluk,
Ranipet District – 632 513.

3.Co-operative Sub-Registrar / Administrator,
VL SPL. 81 T.K Thangal Town Co-operative Credit Society,
Thenkadapan Thangal, Walaja Taluk,
Ranipet District – 632 513.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for records relating impugned notice dated 25.09.2024 in vide Na.Ka.No.2589/2024 saba-Tha. Thi. No.4/2024 – 2025 on the file of the 1st respondent and quash the same.



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For Petitioner	.. Mr.S.Sairaman
For R1 & R2	.. Mr.S.Ravikumar, Special Govt. Pleader
For R3	.. Mr.M.Rajendiran

ORDER

This writ petition has been filed in the nature of Certiorari seeking records relating to a notice dated 25.09.2024 in Na.Ka.No.22589/2024 Saba – Tha. Thi. No.4 of 2024 on the file of the 1st respondent, the Deputy Registrar of Co-operative Societies, Ranipet Circle, Ranipet and to quash the same.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined as Salesman in the year 1995 and was promoted as Clerk in the 3rd respondent society, VL SPL.81 T.K.Thangal Town Co-operative Credit Society, Ranipet District.It had been stated that he had discharged his duty without any blemish. But that statement is very seriously disputed by the learned Special Government Pleader, who took notice on behalf of the respondents and stated that as against the petitioner proceedings had been initiated for alleged misappropriation of more than Rs.8/- Crores from the 3rd respondent society. It is also stated that the



Secretary had admitted to the loss and misappropriation. The petitioner was the cashier of the 3rd respondent society. An enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 had been conducted and thereafter, notice had been issued for surcharge proceedings under Section 87(1) of the Act.

3.It is contended on behalf of the respondent that though on several dates, notice had been issued, the petitioner had not appeared and had finally, condescended to appear on 25.12.2024. It is stated that he had given a representation seeking copies of documents. However, it is further contended by the learned Special Government Pleader that the documents are voluminous in nature and that statements of 53 witnesses had been recorded and the documents run to nearly about 14,000 pages. It is also stated that several members of the society had suffered owing to the misappropriation committed by the petitioner herein.

4.There is an obligation on the petitioner to first participate in the enquiry. He must first give his statement and then, thereafter point fingers at the respondents. Very specifically, no stay is granted on the proceedings



initiated under Section 87(1) of the Act. It is for the petitioner to participate in the enquiry or not to participate in the enquiry. The 1st respondent may proceed further with the enquiry.

5. So far as the representation given seeking copies of documents, in the first instance, the petitioner may peruse the documents and thereafter, determine as to what documents he require, but if the number of pages exceed 200, then the petitioner can only peruse the same and cannot demand copies of the same. Therefore, he has the option of perusing properly, and the burden is on him to choose the documents which are absolutely required. He cannot claim right to seek copies of each and every document. At the most totally 200 pages of documents can alone be furnished to the petitioner herein.

6. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

21.01.2025

Index: Yes/No
Internet: Yes/No
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C.V.KARTHIKEYAN,J.

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