



WEB COPY



W.P.No.4799 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

THE HON'BLE MR.JUSTICE **V.LAKSHMINARAYANAN**

W.P.No.4799 of 2025

and

WMP.No.5316 of 2025

N.Dilipkumar

...Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Cuddalore Circle, Cuddalore.

2. The Co-operative Sub-Registrar/A Section Superintendent,
Inspection Officer u/s 82 of the Act,
O/o. Deputy Registrar of Co-operative Societies,
Cuddalore Circle, Cuddalore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorari, calling for the records of the 1st respondent in
Na.Ka.No.2675/2024 v (2024CUD18201) dated 15.10.2024 quash the same.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.S.Ravikumar, Spl.GP



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ORDER

WEB COPY The petitioner seeks to quash the proceedings of the 1st respondent in Na.Ka.No.2675/2024 v (2024CUD18201) dated 15.10.2024.

2. The petitioner was working as the Joint Registrar cum Managing Director of the Cuddalore District Central Co-operative Bank between 16.08.2021 to 11.06.2024. Subsequently, the petitioner was transferred and posted as the Joint Registrar/Managing Director, Tirunelveli District Central Co-operative Bank with effect from 21.12.2024.

3. Subsequent to his transfer, the Assistant General Manager, (Administration) of the Cuddalore District Central Co-operative Bank wrote to the 1st respondent alleging that certain actions have been initiated by the Writ petitioner without obtaining Administrative sanction, during the petitioner's tenure as Managing Director/Joint Registrar in Cuddalore. The 1st respondent, who is empowered under the Tamil Nadu Co-operative Societies Act, instituted an Inspection under Section 82 of the Act. To that effect, he appointed the 2nd respondent as the Inspection Officer. Challenging the same, the present Writ petition has been filed.

4. Mr.M.S.Palaniswamy, urges that the 1st respondent, though



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empowered under the Act to institute an Inspection, he may do so only under

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(i) *Suo motu*; or,

(ii) On an intimation given by a Creditor of the Co-operative Society.

5. Learned counsel states that the Assistant General Manager of the Cuddalore District Central Co-operative bank is not a Creditor, hence, institution of proceedings under Section 82 does not comply with the requirements of law. Hence, he seeks to quash the impugned order of the 1st respondent.

6. Mr.S.Ravikumar, learned Special Government Pleader appearing for the respondents, states that Section 82 of the Tamilnadu Co-operative Societies Act provides ample powers to the Registrar to cause an Inspection on his own means. He further states that the 1st respondent, on being intimated, decided to go in for an Inspection and satisfy himself as regards the state of affairs of the Central Co-operative Bank. He adds that the enquiry has already been completed by the 2nd respondent and a report has



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also been submitted. On account of the interim order passed by this Court, no further action has been initiated.

7. I have carefully considered the submissions advanced by Mr.M.S.Palaniswamy and Mr.S.Ravikumar. I have also gone through the records.

8. A perusal of Section 82 of the Tamilnadu Co-operative Societies Act shows that the Registrar has the following powers:-

- (i) Inspect or Investigate;
- (ii) Direct any person to inspect the affairs of the registered society in general or to investigate into
 - (a) any alleged misappropriation;
 - (b) fraudulent retention of any money or property;
 - (c) breach of trust;
 - (d) corrupt practice or mismanagement in relation to that Society or into any particular aspect of the working of such society.

9. The Act empowers the Registrar to cause such Inspection and



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Investigation, either *Suo motu* or on an application of the Creditor of the Society. The Registrar, by virtue of having been empowered to order an investigation or inspection *suo motu*, i.e., on its own motion, can also act on receiving certain information from any person. The discretion entirely lies with the Registrar as it is clear from the word “may”. It is only a fact finding exercise as to the health and condition of the Co-operative Society of which he is the Registrar.

10. In the facts of this case, he has been intimated by the Assistant General Manager of the Cuddalore District Co-operative Bank about certain happenings in the bank. This has triggered his interest and he has exercised the *suo motu* powers under Section 82 of the Act. The power under Section 82 is a power that is exercised by an Administrative Superior over Societies, which are subordinate to him and which come under his Supervisory control. He could have decided not to ask for an investigation or enquiry. However, on the subjective satisfaction exercised by him, he has decided to do so.

11. The enquiry/investigation report submitted to the Registrar does



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not affect the petitioner. It is only a precursor for further steps that has to be taken by him. It is a mere fact finding exercise.

12. Such being the situation, I do not think the petitioner can challenge the same. Hence, I am not inclined to interfere with the order of the 1st respondent impugned in this Writ petition.

13. For the reasons aforesaid, this Writ petition stands dismissed. No costs. Consequently, the connected Miscellaneous petition is closed.

15.09.2025

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No

To:

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V.LAKSHMINARAYANAN, J.

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