



W.P.No. 5012 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 14.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.5012 of 2025 and
W.M.P. No. 5560 of 2025

K. Varalakshmi

... Petitioner

VS

1. The Registrar of Cooperative Societies,
Poonamallee High Road, Kilpauk,
Chennai 600 010.
 2. The Managing Director / Additional Registrar
Kancheepuram District Central Cooperative Bank Ltd.
No.15-G, Sekkupettai North Street,
Kancheepuram 631 501.
 3. The Joint Registrar of Cooperative Societies,
Kancheepuram Region,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
 4. The Deputy Registrar of Cooperative Societies,
Kancheepuram Circle,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
 5. Enquiry Officer (PDS)
O/o. Deputy Registrar of Cooperative Societies,
Kancheepuram Circle, Vandavasi Road,
Kancheepuram, Kancheepuram District.
- ...Respondents



W.P.No. 5012 of 2025

WEB COPY

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified Mandamus, calling for the entire records relating to the impugned summon issued by the 5th respondent in her proceedings No.Nil, dated 30.01.2025 and quash the same and consequently direct the 1st respondent to appoint other District Officials as Enquiry Officer to proceed further under Section 81 of the Tamil Nadu Cooperative Societies Act.

For Petitioner : Mr. C. Prakasam
For R1,R3 to R5 : Mr. S. Ravikumar
Special Government Pleader
For R2 : Mr. R. Gopinath

ORDER

This Writ Petition has been filed in the nature of certiorarified Mandamus seeking records relating to the summons issued by the first respondent in proceedings dated 30.01.2025 and to quash the same.

2. The said summons had been issued under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983 (herein after referred to as 'the Act'). Let me not enter into a discussion as to the reason why such summons has been issued or why such an enquiry has been initiated.



W.P.No. 5012 of 2025

Any enquiry under Section 81 of the Act is a fact finding enquiry and therefore, it is only appropriate that the Court does not examine the facts raised, which will have to be examined only during the course of enquiry.

3. Learned counsel for the petitioner, however, raised grievances over the appointment of the fifth respondent as enquiry officer claiming the possibility of the fifth respondent being prejudiced against the petitioner. Every enquiry should be conducted in a manner which gives confidence to the delinquent to participate in the enquiry.

4. Learned Special Government Pleader is also present and has been heard.

5. A direction is given that instead of the fifth respondent, any other officer holding an equivalent post, may be appointed as an enquiry officer to continue with the enquiry under Section 81 of the Act. The petitioner is directed to participate in the enquiry when notice is received for participation in the enquiry proceedings.



W.P.No. 5012 of 2025

WEB COPY 6. With the above directions, this Writ Petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

14.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

Bga

To

1. The Registrar of Cooperative Societies,
Poonamallee High Road, Kilpauk,
Chennai 600 010.
2. The Managing Director / Additional Registrar
Kancheepuram District Central Cooperative Bank Ltd.
No.15-G, Sekkupettai North Street,
Kancheepuram 631 501.
3. The Joint Registrar of Cooperative Societies,
Kancheepuram Region,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
4. The Deputy Registrar of Cooperative Societies,
Kancheepuram Circle,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
5. Enquiry Officer (PDS)
O/o. Deputy Registrar of Cooperative Societies,
Kancheepuram Circle, Vandavasi Road,
Kancheepuram, Kancheepuram District.



WEB COPY



W.P.No. 5012 of 2025

C.V. KARTHIKEYAN, J.

bga

W.P.No.5012 of 2025 and
W.M.P. No. 5560 of 2025

14.02.2025