



W.P.No.7794 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**W.P.No.7794 of 2025 and
W.M.P.Nos.8754 & 8755 of 2025**

G.Santhi

... Petitioner

-VS-

1. The Joint Registrar of Co-operative Societies /
Common Cadre Authority,
Krishnagiri Region, Krishnagiri.

2. The Deputy Registrar of Co-operative Societies,
Hosur Circle,
Hosur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records of the first respondent in charge memo in Na.Ka.No.3878/2024 po.pa.ni.thee dated 0411.2024 and consequential appointment of enquiry officer in Na.Ka.No.3878/2024 po.pa.ni.thee dated 31.01.2025 quash the same.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mrs.M.Geetha Thamarai Selvan
Special Government Pleader



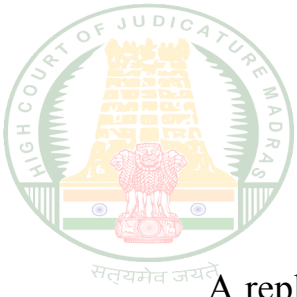
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ORDER

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This writ petition has been filed in the nature of certiorarified mandamus seeking records relating to the charge memo issued by the first respondent dated 04.11.2024 and also records relating to the appointment of an Enquiry Officer vide order dated 31.01.2025 and to quash both the said orders.

2. In the affidavit filed in support of the writ petition it had been contended that the petitioner who had been appointed as Clerk in Krishnagiri District National Engineering Employees Thrift and Credit Society, Hosur on 03.06.1998 and was subsequently promoted as Secretary on 21.03.2023. The second respondent, Deputy Registrar of Co-operative Societies, Hosur Circle had directed an enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 into the affairs of the Thrift and Credit Society. The enquiry was respect to the loss which had been suffered and had become barred for recovery. There were three charges in the charge memo. It was contended that the petitioner was responsible for the loss suffered by the Society. The petitioner had given a representation. She had also given her explanation.



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A reply was also given. But however, the first respondent had stated that the disciplinary proceedings is to be initiated and for that purpose had invoked the power under G.O.(Ms)No.14, Co-operation, Food and Consumer Protection Department dated 12.02.2019. The writ petition had been filed questioning the exercise of issuance of charge memo invoking G.O.(Ms)No.14 Co-operation, Food and Consumer Protection Department dated 12.12.2019.

3. The learned counsel for the petitioner pointed out that the said Government Order is not applicable to the Thrift and Credit Society in which the petitioner is a member. It had been contended that the Government Order which could be invoked, would only be G.O.(Ms)No.12, Co-operation, Food and Consumer Protection (CP1) Department dated 24.01.2024. On this limited ground, notice has been directed to the learned Special Government Pleader.

4. It is contended on behalf of the respondents that the charge memo has been amended and fresh proceedings has been issued incorporating G.O.(Ms)No.12 instead of G.O.(Ms)No.14.



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5. I will leave it at that. The learned counsel for the petitioner however further stated that the respondents are bound by the circular issued by the Registrar of Co-operative Societies in Circular No.32 of 2014 dated 02.12.2014 which gives the guidelines under which an enquiry should be conducted. I am confident that the respondents would follow the guidelines and it would be appreciable if they follow the rules and regulations in letter and spirit. The respondents may take care that the proceedings are not assailed on any procedural irregularities.

6. Giving liberty to the respondents to proceed with the enquiry in the manner known to law, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

14.03.2025

Index: Yes/No
Internet: Yes/No
Speaking Order: Yes/No

vji



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To

1. The Joint Registrar of Co-operative Societies /
Common Cadre Authority,
Krishnagiri Region, Krishnagiri.
2. The Deputy Registrar of Co-operative Societies,
Hosur Circle,
Hosur.



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