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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 8668 of 2025

And

W.M.P.No. 9697 of 2025

Munikrishnan

... Petitioner

..Vs..

1. The President
Primary Agricultural Co-operative Credit Society Ltd.,
Karlampakkam (JJ635)
Tiruvallur District.
 2. The Deputy Registrar of Co-operative Societies
Primary Agricultural Co-operative Credit Society Ltd.,
Tiruttani
Tiruvallur District.
 3. The Joint Registrar of Co-operative Societies
Primary Agricultural Co-operative Credit Society Ltd.,
Tiruvallur Zone
Tiruvallur District.
- ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari calling for the records from the file of the third respondent relating to the impugned order in Na.Ka.No.



545/2025/Pho.Pu.Ku. Dated 18.02.025 against the petitioner and to quash the same.

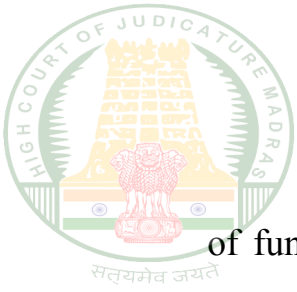
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For Petitioner :: Mr. C.Prakasam
For 1st Respondent :: Mr. A.Arun
for Dr.T.Seenivasan
For 3rd Respondent :: Mr. P.Ganesan
Government Advocate

ORDER

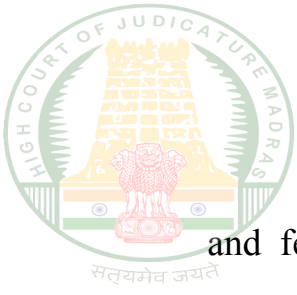
The Writ Petition has been filed in the nature of Certiorari calling for the records relating to an order of suspension in Na.Ka.No. 545/2025/Pho.Pu.ku. Dated 18.02.2025 passed against the petitioner and quash the same.

2. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner is working as Secretary at Karlampakkam Primary Agricultural Co-operative Credit Society and was placed under suspension by an order of the third respondent dated 18.02.2025. It had been stated that the issue raised against the petitioner was with respect to misappropriation



of funds to be used for jewel loans to the employees of the society. The petitioner claimed that the respondent had not framed any charges and therefore stated that the suspension order should be revoked.

3. A counter affidavit had been filed by the second respondent/Deputy Registrar of Co-operative Societies, Primary Agricultural Co-operative Credit Society Ltd., Tiruttani, wherein it had been stated that the petitioner was working as Secretary of Karlampakkam Primary Agricultural Co-operative Credit Society and a report had been forwarded on 13.02.2025 by the Administrator of the Society to the second respondent that the petitioner is not co-operating in verification of jewels that were kept in the safe locker under the joint custody of the petitioner and another staff. An inspection team was therefore constituted and they inspected the society and submitted a report on 17.02.2025 wherein it had been stated that on closure of 104 jewel loans within 10 days between 01.02.2025 to 10.02.2025, the entire closure amount of more than Rs.1,50,00,000/- had been misappropriated by creating bogus vouchers and false entries as if loans were pledged and issued to three members for a total sum of Rs.1,50,00,000/-. Apart from that there was cash shortage of Rs.2,31,554/-



and fertilizer shortage of Rs.99,316/-. It was therefore alleged that the petitioner was responsible for alleged misappropriation of Rs.1.53/- crores.

4. It is under those circumstances that an order for statutory enquiry under Section 81 of the Tamilnadu Co-operative Societies Act, 1983 had been directed. The petitioner was then placed under suspension on 18.02.2025. It had been further stated that conditional attachment had also been passed of the property of the petitioner exercising powers vested under Section 167(2) of Tamil Nadu Cooperative Societies Act 1983.

5. It is also contended before the Court that a criminal case had also been registered against the petitioner herein. This Court had directed that the petitioner must co-operate during the enquiry process.

6. On the side of the respondents, it is contended that the petitioner did not co-operate.

7. On the side of the petitioner, it is contended that the respondents



sought to arrest the petitioner and therefore, the petitioner was not in a position to co-operate with the enquiry.

8. The learned counsel for the petitioner stated that no independent or individual complaint had been lodged with respect to the jewel loan and it is also stated that the respondents must enquire deeply into that particular aspect in order to determine the actual facts.

9. An obligation is placed on the petitioner to co-operate during the course of enquiry. It is only prudent that he faces the charges and absolves himself of all allegations. He must keep in mind that he is to retire shortly and if he does not co-operate, then at the time of his retirement, there is a possibility of further orders being passed by the respondents.

10. The charges are serious in nature. The petitioner must co-operate with the enquiry. Since the charges relate to creation of false entries and there is also a possibility that if the suspension is revoked, the petitioner might tamper with the material facts which the respondents rely on to press home the charges during the disciplinary proceeding. At this stage, I am not



inclined to revoke the order of suspension. The Writ Petition stands dismissed. Consequently, connected Miscellaneous Petition stands closed.

No order as to costs.

04.04.2025

vsg

Index: Yes/No

Internet: Yes/No

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C.V.KARTHIKEYAN, J.,

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