



W.P.No. 1381 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.1381 of 2025

and

W.M.P.No.1628 of 2025

J. Jayakanthan

.. Petitioners

Versus

1.The Registrar of Co-operative Societies,
No.170, N.V. Natarajan Maaligai,
Periyar EVR High Road,
Poonamallee High Road, Kilpauk,
Chennai – 600 010.

2. The Joint Registrar of Co-operative Societies,
Joint Registrar of Co-operative Office,
Master Plan Complex, (Collectorate) Thandalai,
Thiruvarur.

3. The Deputy Registrar,
Co-operative Deputy Registrar Office,
Thiruvarur.

4. Mr.K. John Alexandar,
The Enquiry Officer
Co-operative Sub Registrar,
Section 81 Enquiry Officer,
O.N.74, Thiruvarur District Police
-Employees Co-operative Thrift and Credit Society Ltd.,
Appar Street, Near Tamil Medium Fathima School,
Thiruvarur



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5. Mr.M.Chandru,
Administrator,
O.N.74, Thiruvarur Distric Police
-Employees Co-operative Thrift and Credit Society Ltd.,
Appar Street, Near Tamil Medium Fathima School,
Thiruvarur.

6. Ms. Selvi

7. Mr.S. Govindaraju ...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 3 to 5 herein to dispose of petitioner's representation dated 09.12.2024 in accordance with law and pass orders.

For Petitioners : Mr.J. Nandagopal
For Respondents 1 to 5 : Mr.V. Manoharan, AGP

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus Writ of Mandamus directing the Respondents 3 to 5 herein to dispose of petitioner's representation dated 09.12.2024 in accordance with law and pass orders.



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2. Mr.V. Manoharan Additional Government Pleader takes notice for the Respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.Since no adverse orders has been passed against the sixth and seventh respondents, notice to them is dispensed with.

4.The facts of case are that the Respondent/Co-operative Thrift and Credit Society Ltd., conducted an audit, wherein it is found that there is a loss of Rs.2,41,46,907.15/-. Thereafter, the Deputy Registrar of Co-operative society formed a committee on 25.10.2024 to deal with the said issue. Pursuant to which the petitioner filed a Crl.O.P before this Court and the same was closed as there was no petition or enquiry pending against them. Subsequently the petitioner received a notice U/Section 81 of the Co-operative Societies Act from the 4th respondent herein that the petitioner should appear in person on 21.11.2024. The sum and substance of the case is that the petitioner appeared before the enquiry officer on 09.12.2024 and submitted his leave letter due to his illness. It is to the



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shock and surprise that on 10.12.2024 the 4th respondent temporarily suspended the petitioner without issuing any show cause notice or enquiry, which has given rise to this petition.

5.The learned counsel for the petitioner submitted that the suspension order has been passed without issuing any show cause notice which is a violation of principles of natural justice. However, it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

6.The learned Additional Government Pleader appearing for the respondents submitted that they will conclude the enquiry as early as possible preferably within the time frame fixed by this Court.

7. Heard both sides and perused the materials available on record.

8. In view of the above facts this Court directs the respondents to provide materials required by the petitioner and if the petitioner sought



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for any voluminous documents, he may be permitted to take photo copy of the relevant pages. However, they should provide an opportunity of personal hearing to the petitioner and conclude the enquiry and pass appropriate orders on or before 30.06.2025. The petitioner is hereby directed to appear before the authorities concerned and co-operate with them to conclude the disciplinary proceedings.

9. With the above observations this writ petition stands disposed of. No order as to costs. Consequently the connected miscellaneous petition is closed.

22.01.2025

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
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