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WP No. 9345 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 9345 of 2026

N.Senthil
S/o. Nagalingam,
No. 51 Maruthapadi Street,
Thiruvavarur 610 002

..Petitioner(s)

Vs

1. The Registrar Of Cooperative Societies
S/o. Nagalingam,
No. 51 Maruthapadi Street,
Thiruvavarur 610 002
2. The Joint Registrar of Cooperative Societies
Tiruvavarur Zone,
Integrated cooperative complex,
(Behind Govt. Medical College),
District collectorate campus,
Tandalai, Tiruvavarur 610 004
3. The District Co-operative officer
Tiruvavarur Zone,
Integrated cooperative complex,
(Behind Govt. Medical College),
District collectorate campus,
Tandalai, Tiruvavarur 610 004
4. The Secretary
T434 Kalyana Mahadevi Primary Agircultural
cooperative credit society Ltd.,
Kottarakkudi, Tiruvavarur district

..Respondent(s)



Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to suspension order passed in order No. 1/ 2025/ Se dated 31.10.2025 directing respondents 1 to 3 to conduct statutory audit and inquiry under the Tamil Nadu co-operative Societies Act 1983 in to the non credit of the petitioners loan instalments by the 4th respondent to initiate surcharge proceedings under Section 87 against the respondents officials to direct rectification of the petitioners loan account by crediting Rs. 2,18,400/- deducted from 1.04.2019 to 31.10.2025 and remove all wrongful arrears.

For Petitioner(s): Mr.P.Venkatesan

For Respondent(s): Mr.U.Baranidharan, SGP for R4

Mr.A.M.Ayyadurai, GA for R1 to R3

ORDER

Challenging the suspension order passed in order No. 1/ 2025/ Se dated 31.10.2025, the present Writ Petition has been filed. Further, the petitioner has sought for a direction to the respondents 1 to 3 to conduct statutory audit and inquiry under the Tamil Nadu Co-operative Societies Act, 1983 into the non credit of the petitioner's loan instalments by the fourth respondent and to initiate surcharge proceedings under Section 87 against the respondents' officials and to rectify the petitioner's loan account by crediting Rs.2,18,400/- deducted from 01.04.2019 to 31.10.2025 and to remove all wrongful arrears.

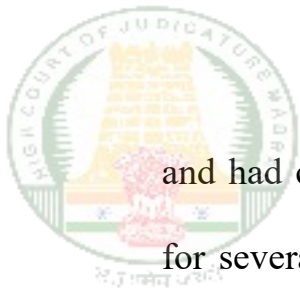


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2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. The learned counsel for the petitioner submitted that the petitioner is a Government Employee and had obtained an educational loan to the tune of Rs.1,50,000/- from the fourth respondent Society which was duly deducted from his salary and he had not committed any default in repayment of the loan amount, however the office bearers of the Society without crediting the deducted amount to his loan account, had only credited partial and irregular amounts which resulted in outstanding dues against the petitioner. He contended that for misappropriation of funds and irregular acts of the office bearers of the fourth respondent society, he issued a legal notice on 19.11.2025 to the respondents to rectify his loan account and to initiate statutory action, however there was inaction on the part of the respondents and hence, the present Writ Petition.

4. Per contra, the learned Special Government Pleader appearing on behalf of the fourth respondent Society submitted that the petitioner is not a Government employee and he is a salesman of the fourth respondent Society



and had committed misappropriation of funds and was on unauthorised absent for several days and several complaints were received from the public to take action against him for non performance of his duty properly. He further submitted that the fourth respondent Society has suspended the petitioner from 31.10.2025 A.N. Thus, he submitted that the averments made in the petition are incorrect and hence, prayed for dismissal of the Writ Petition.

5. I have considered the submissions made by the respective learned counsels and also perused the materials available on record.

6. Perusal of the records reveal that the petitioner was placed under suspension by the Sub Registrar of the fourth respondent Society on 31.10.2025 A.N., for his misconduct i.e., misappropriation of funds, unauthorised absence and dereliction of duty. However, the petitioner suppressing all the aforesaid facts, had come to this Court with unclean hands for the reliefs stated in the prayer, which is offensive. However, the respondent concerned is directed to issue show cause notice to the petitioner within a period of two weeks from the date of receipt of a copy of this order and thereafter, conduct the disciplinary enquiry as against the petitioner and complete the same, within a period of six months therefrom.



7. For the foregoing reasons, the Writ Petition stands dismissed. There shall be no order as to costs.

12-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

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M.DHANDAPANI, J.

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