



W.P(MD)No.18658 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P(MD)No.18658 of 2019
and
W.M.P(MD)Nos.15032 of 2019 & 24038 of 2023**

1.R.K.Thandiappan (deceased)

2.Karuppaiah

... Petitioners

(P-2 is substituted vide order dated 04.03.2026 made
in W.M.P(MD)No.20409 of 2025)

vs.

1.The Registrar,
Co-Operative Society Registrar Officer,
Registrar Special Office,
Keelpakkam, Chennai – 10.

2.The District Collector ,
O/o The District Collector,
Sivagangai District.

3.The Joint Registrar,
Co-Operative Society Office,
Opp. Woman College, Collectorate Campus,
Sivagangai, Sivagangai District.

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4.The Deputy Registrar,
Co-Operative Society Office,
Opp. Woman College,
Collectorate Campus,
Sivagangai,
Sivagangai District.

5.The President,
Represented by Nagamugundankudi Primary
Agriculture Co-Operative Society,
Nagamugundankudi Village,
Ilayangudi Taluk,
Sivagangai District.

6.The President,
Represented by Aranaiyur Primary Agriculture Co-Operative Society,
Aranaiyur Village,
Ilayangudi Taluk,
Sivagangai District.

7.M.Balasubramaniam

8.M.Madavan

9.G.Sumathi

10.M.Govindaraj

11.M.Kavitha

12.B.Kalaiselvi

13.P.Ravikumar

14.S.Tamil Selvi

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15.R.Vijayalakshmi

16.P. Kunjaram

17.Baluchamy

18.Chandran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent No.1 to conduct an inquiry into the affairs of respondent Nos.5 and 6 society for misappropriation of agriculture loan amount which was sanctioned in the name of members in that society and to take necessary action against them.

For P – 2 : Mr.M.Mahaboob Fazil

For Respondents : Mr.P.T.Thiraviam (R1 to R4, R6 & R7)
Government Advocate

: Mr.V.Ramu (R5)

: Mr.B.Prahalad Ravi (R8 to 13 & R15 to R17)

: No appearance (R18)



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ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

This Writ Petition has been filed seeking a direction to the first respondent to conduct an enquiry into the affairs of respondent Nos.5 and 6 societies regarding the alleged misappropriation of the agricultural loan amount sanctioned in the names of the members of the said societies and to take appropriate action against them.

2.It is the contention of the petitioner that respondents 5 and 6, who are the Presidents of Nagamugundankudi Primary Agricultural Co-operative Society and Aranaiyur Primary Agricultural Co-operative Society respectively, in collusion with respondents 7 and 8, who are the Secretaries of Aranaiyur Primary Agricultural Co-operative Society and Nagamugundankudi Primary Agricultural Co-operative Society respectively, along with respondents 9 to 18, have misappropriated the crop insurance loan amount. Therefore, the petitioner seeks a direction to conduct an enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 against them.



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3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.On perusal of the materials available on record, it is seen that the Writ Petition is bereft of necessary particulars and the petitioner has not stated the nature of the alleged misappropriation or the period during which such misappropriation is said to have taken place. Merely on the basis of a representation submitted to the official respondents, this Court cannot issue a direction to conduct such an enquiry.

5.It is relevant to note that under the Tamil Nadu Co-operative Societies Act, 1983, an audit is required to be conducted in every registered society once in each financial year. Similarly, an enquiry under Section 81 of the said Act may be conducted by the Registrar either on his own motion or on the application of a majority of the board, or of not less than one-third of the members, or on the request of the financing bank or the District Collector. The Registrar may hold such an enquiry himself or direct any person authorised by



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him in writing to conduct an enquiry into the constitution, working and financial condition of a registered society, or into any alleged misappropriation, fraudulent retention of money or property, breach of trust, corrupt practice or mismanagement in relation to the society, or into any particular aspect of its functioning.

6. Therefore, when regular audits are conducted and in the absence of any specific material regarding the alleged misappropriation, this Court cannot, as a matter of right, direct such an enquiry. Hence, we do not find any merit in the Writ Petition.

7. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

[N.S.K.,J.] [M.J.R.,J.]
04.03.2026
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NCC : Yes / No
Index : Yes / No
Internet : Yes
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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

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ORDER MADE IN
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DATED : 04.03.2026
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