

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Tuesday, the Twenty Second day of February Two Thousand and Twenty  
Two

WEB COPY

PRESENT

**The Hon`ble Mr.Justice ABDUL QUDDHOSE**

WP(MD) No.3343 of 2022  
and  
W.M.P.[MD]No.2929 of 2022

R.VELU

... PETITIONER

Vs

THE DEPUTY REGISTRAR,  
OFFICE OF THE DEPUTY REGISTRAR OF  
CO-OPERATIVE SOCIETIES,  
KARAIKUDI, SIVAGANGAI DISTRICT.

... RESPONDENTS

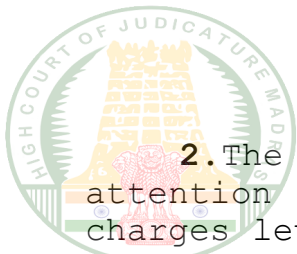
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorari calling for the impugned order issued by the respondent vide his proceedings in Na.Ka.No.996/2020/Sa.Pa (3) dated 15.12.2021 and quash the same.

**Prayer in WMP(MD) . 2929/2022 :**

To grant an order of stay of all further proceedings pursuant to the impugned Enquiry order issued by the respondent vide Na.Ka.No.996/2020/Sa.Pa(3) dated 15.12.2021 pending disposal of the above writ petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. JEGANATHAN .C, Advocate for the petitioner and of MR.P.TILAK KUMAR, Government Pleader on behalf of the Respondent, the court made the following order:-

This writ petition has been filed challenging the show cause notice dated 15.12.2021 issued under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983. According to the petitioner, the show cause notice does not pertain to any loss to the Society concerned, but it pertains to an alleged fraudulent receipt of compensation by the petitioner's wife under an Insurance Policy.



2.The learned counsel appearing for the petitioner drew the attention of this Court to the impugned show cause notice and the charges levelled against the petitioner therein and would also refer to Section 81 of the Tamil Nadu Cooperative Societies Act, 1983 and after relying upon the same, he would submit that the charges levelled against the petitioner do not involve any loss to the Society and therefore, according to him, the respondent has issued the show cause notice dated 15.12.2021 without authority under law.

3.This Court has also perused and examined Section 81 of the Tamil Nadu Cooperative Societies Act, 1983 as well as the impugned show cause notice and this Court, on a *prima facie* consideration, is of the view that the interim stay of the impugned order will have to be granted, since no loss has been caused to the Society. The issue as to whether the impugned show cause notice has been issued without authority under law has to be examined by this Court in the final disposal of this writ petition. After giving due consideration to the aforementioned factors, this Court is inclined to grant an interim stay of the impugned show cause notice dated 15.12.2021 issued by the respondent. Accordingly, there shall be an order of interim stay of the impugned show cause notice dated 15.12.2021.

4.Mr.P.Tilak Kumar, learned Government Pleader accepts notice on behalf of the respondent.

5.Post the matter for counter and disposal on **21.03.2022.**

sd/-  
22/02/2022

/ TRUE COPY /

/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

THE DEPUTY REGISTRAR,  
OFFICE OF THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES,  
KARAIKUDI, SIVAGANGAI DISTRICT.

ORDER IN  
WP(MD) No.3343 of 2022 and  
W.M.P.[MD]No.2929 of 2022  
Date :22/02/2022

USK/PN/SAR-I/02.03.2022/2P/2C