



W.P(MD)No.18577 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18577 of 2026

and

W.M.P.(MD).Nos.13750 and 13751 of 2026

Sundhar Raj

... Petitioner

Vs

- 1.The Secretary to Government,
Government of Tamil Nadu,
Khathi Village,
Textiles and Handlooms Department,
St.George Fort,
Chennai-600 009.
- 2.The Chief Executive Officer,
Tamil Nadu Kathi and Village Industries Board,
Ist Floor, Chennai House,
Chennai-104.
- 3.The Deputy Director,
Kathi and Village Industries Board,
Bye pass Road, Near PRC Depot,
Madurai-10.



W.P(MD)No.18577 of 2026

WEB COPY

4.The Assistant Director,
Khadi and Village Industries,
St.Thomas Road, Palayamkottai,
Tirunelveli.

5.Marthandam Beekeepers Co-operative Society,
represented by its Administrator

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the resolution No.6 of the fifth respondent Society minute dated 20.06.2026 in respect of ICDP loan repayment from the Society's exchequer and quash the same as null and void.

For Petitioner : Mr.V.H.S.Prathap

For R-1 : Mr.M.Mahaboob Athiff,
Counsel for State

For R-2 to R-4 : Mr.C.Rajakumar,
Standing Counsel

ORDER

This Writ Petition has been filed challenging the the resolution No.6 of the fifth respondent Society minute dated 20.06.2026 in respect of ICDP loan repayment from the Society's exchequer.



W.P(MD)No.18577 of 2026

WEB COPY

2. Heard Mr. V.H.S.Prathap, learned counsel appearing for the petitioner, Mr. M.Mahaboob Athiff, learned Counsel for State, who takes notice on behalf of the first respondent and Mr.C.Rajakumar, learned Standing Counsel, who takes notice on behalf of respondent Nos.2 to 4.

3. The learned counsel for the petitioner submitted that the petitioner was one of the senior members of the fifth respondent Co-operative Society and had served as a Director on its Board during the period from April 2021 to April 2026. The petitioner vacated his office on 25.04.2026 upon the completion of the tenure of the Board, and thereafter, the administration of the Society was handed over to the Administrator. It was further submitted that the fourth respondent had served as the Special Officer of the fifth respondent Society from August 2017 to April 2021 and was subsequently appointed as its Secretary and thereafter as Assistant Director. During his tenure, the fourth respondent availed a loan under the Integrated Co-operative Development Programme (ICDP) for the construction of a godown and the purchase of certain machinery. However, no such godown was

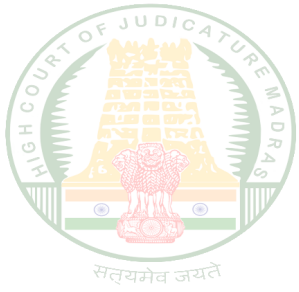


W.P(MD)No.18577 of 2026

WEB COPY

constructed. Several complaints were submitted to respondent Nos.1 to 3 in this regard, but no action has been taken. It was further submitted that one Satrack had filed a Public Interest Litigation before this Court in W.P. (MD).No.3425 of 2026 seeking a direction to conduct an enquiry and take appropriate action against the fourth respondent in respect of the alleged fraud and misappropriation committed by him during his tenure and the said writ petition is pending before this Court.

4. The learned counsel further submitted that the petitioner had no role whatsoever in the disbursement of the ICDP loan and was not involved in the decision-making process relating thereto. Without issuing any notice, affording an opportunity of hearing to the petitioner, or conducting an enquiry as contemplated under Section 81 of the Tamil Nadu Co-operative Societies Act, the respondents passed the impugned resolution resolving to recover the amount from the Directors. Such a resolution, having been passed in violation of the principles of natural justice as well as the mandatory statutory procedure, is wholly unsustainable. He therefore prayed that the impugned resolution be set aside.



W.P(MD)No.18577 of 2026

WEB COPY

5. Per contra, the learned Counsel for the State appearing for the first respondent submitted that an identical challenge had already been made before this Court by another member of the fifth respondent Society in W.P. (MD) No.18419 of 2026. The said Writ Petition came to be dismissed by order dated 01.07.2026. He further submitted that the impugned proceedings are only in the nature of a resolution of the Society and do not, by themselves, create any enforceable liability. Unless and until the competent authority passes a consequential order in accordance with law, no civil consequences would ensue. Therefore, the present Writ Petition is premature and liable to be dismissed.

6. This Court has considered the rival submissions and perused the materials available on record.

7. Admittedly, the impugned proceedings are only a resolution passed by the fifth respondent Society. A resolution by itself does not determine the rights or liabilities of the petitioner, nor does it have any statutory force



W.P(MD)No.18577 of 2026

WEB COPY

unless it culminates in a final order passed by the competent authority in accordance with the provisions of the Tamil Nadu Co-operative Societies Act and the Rules framed thereunder.

8. In such view of the matter, this Court is of the considered opinion that the challenge to the impugned resolution at this stage is premature.

9. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

02.07.2026

NCC : Yes / No

Index : Yes / No

TSG

To

1. The Secretary to Government,
Government of Tamil Nadu,
Khathi Village,
Textiles and Handlooms Department,
St. George Fort,
Chennai-600 009.



W.P(MD)No.18577 of 2026

WEB COPY

- 2.The Chief Executive Officer,
Tamil Nadu Kathi and Village Industries Board,
Ist Floor, Chennai House,
Chennai-104.
- 3.The Deputy Director,
Kathi and Village Industries Board,
Bye pass Road, Near PRC Depot,
Madurai-10.
- 4.The Assistant Director,
Khadi and Village Industries,
St.Thomas Road, Palayamkottai,
Tirunelveli.
- 5.The Administrator,
Marthandam Beekeepers Co-operative Society,



WEB COPY



W.P(MD)No.18577 of 2026

M.DHANDAPANI, J.

TSG

W.P(MD)No.18577 of 2026

02.07.2026