



W.P(MD)Nos.14433 to 14440 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)Nos.14433 to 14440 of 2016

and

**W.M.P(MD)Nos.10696, 10692, 10693, 10694, 10695, 10697, 10698, 10699,
10700, 10701, 10702, 10703, 10704, 10705, 10706, 10707 of 2018**

1.T.Raju	... Petitioner in WP(MD) No.14433/2016
2.S.Krishnaswamy	... Petitioner in WP(MD) No.14434/2016
3.C.Kumaradhas	... Petitioner in WP(MD) No.14435/2016
4.T.Pauls	... Petitioner in WP(MD) No.14436/2016
5.R.Jaya	... Petitioner in WP(MD) No.14437/2016
6.S.Lilly Bai	... Petitioner in WP(MD) No.14438/2016
7.J.Sam Christudhas	... Petitioner in WP(MD) No.14439/2016
8.P.Stephansan	... Petitioner in WP(MD) No.14440/2016

vs.

1. The State of Tamil Nadu,
Rep.By the Principal Secretary to
Government ,
Tamilnadu Khadi, Village
Industries & Handloom Department,
Secretariat,
Chennai-9.

2. The Chief Executive Officer/,
Executive Registrar,
Tamilnadu Khadi,

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Village Industries & Handloom
Department, Kuralagam,
Chennai-108.

3. The Assistant Director,
Khadi, Village Industries & Handloom ,
Kottar, Nagercoil, Kanyakumari District.

... Respondent(s)
(in all writ petitions)

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records on the file of the 3rd Respondent in connection with the impugned notice issued by him in his proceedings Na.Ka.No.656/2015/C1 dated 18.07.2016 and quash the same as illegal.

For Petitioners	: Mr. D.Selvanayagam (in all writ petitions)
For R1	: Ms.K.R.Shivashankari, Counsel for State
For R2 & R3	: Mr.C.Rajakumar (in all writ petitions)

COMMON ORDER

These writ petitions have been filed challenging the common show cause notice dated 18.07.2016 issued to the petitioners.



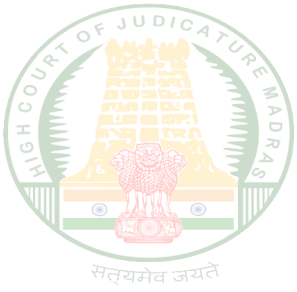
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2. The case of the petitioners is that they are the office bearers of the Cooperative Society, namely, "The Marthandam Bee Keepers Cooperative Society Limited". A show cause notice under Section 87 of the Tamil Nadu Cooperative Societies Act, 1983, was issued to them proposing to initiate surcharge proceedings. According to the petitioners, an enquiry under Section 81 of the Act had initially been conducted, pursuant to which the impugned show cause notice dated 18.07.2016 came to be issued. Aggrieved by the same, the present writ petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that the present writ petitions have been filed solely on the ground that the surcharge show cause notices were issued after a huge delay. Initiating surcharge proceedings after such an inordinate delay is contrary to Section 87 of the Tamil Nadu Cooperative Societies Act and therefore, the impugned show cause notices are not sustainable. Accordingly, he prayed for allowing the writ petitions.

4. Per contra, the learned counsel appearing for respondents 2 and 3 submitted that the writ petitions are directed only against the show cause notices



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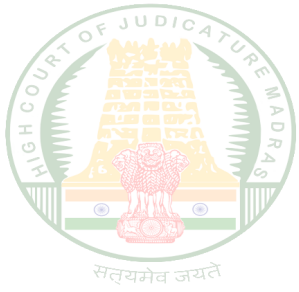
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and that no final order has yet been passed. The petitioners have an effective opportunity to submit their explanations and raise all factual and legal objections before the competent authority. Hence, the writ petitions are premature and liable to be dismissed.

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

6. It is the settled position that this Court, as well as the Hon'ble Supreme Court, has consistently held that a show cause notice cannot ordinarily be challenged at the threshold. If at all the petitioners have any valid grounds, the same can be canvassed before the authority. Without availing such an opportunity, the writ petitions challenging the show cause notices are not maintainable. Therefore, this Court is not inclined to interfere with the impugned show cause notices at this stage.

7. Accordingly, these writ petitions stand dismissed. However, liberty is granted to the petitioners to submit their explanations and raise all the grounds



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available to them before the competent authority. Upon receipt of such explanations, the authority shall consider the same, afford the petitioners a reasonable opportunity of personal hearing and thereafter pass appropriate orders on merits and in accordance with law, as expeditiously as possible. No costs. Consequently, the connected miscellaneous petitions are closed.

06.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

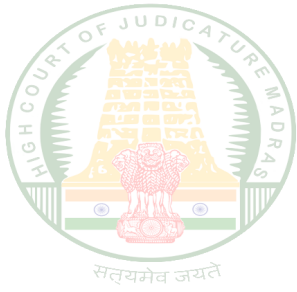


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M.DHANDAPANI,J.

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**ORDER MADE IN
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