

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 14374 of 2015

&

M.P. Nos. 1 & 2 of 2015

T. Sivakumar

... Petitioner

Vs.

1. The Deputy Registrar of Co-op.
Societies,
Virudhachalam Circle,
Virudhachalam,
Cuddalore District.

2. The General Manager,
E.1844 Cuddalore District Central
Co-operative Bank Ltd.,
Cuddalore,
Cuddalore District.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorari to call for the entire records relating to the impugned order passed by the 1st respondent in his proceedings ARC. No. 382/2014 - 15 -E.P.No. 04/2014-15 dated 21.04.2015 and quash the same.

For Petitioner : Mr.C. Prakasam

For Respondents : Mrs.T.P. Savitha,
Government Advocate (Co-op.)
for R1
Mr.L.P. Shanmuga Sundaram
Spl.G.P. (Co-op.)

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O R D E R

In this writ petition, the petitioner has challenged the notice issued under Section 167 of the Tamil Nadu Co-operative Societies Act, 1983, by which the petitioner has been called upon to furnish security for the sum of Rs.20 lakhs as may be sufficient to satisfy any decree that may be passed against him in the arbitration reference preferred against him by the 2nd respondent herein, failing which the immovable properties specified in the schedule to be conditionally attached under Section 167 of the above said Act.

2. According to the learned counsel for the petitioner, after the filing of this writ petition, final orders have been passed in the surcharge proceedings initiated against the petitioner and the petitioner has also preferred an appeal as against the same.

3. In view of the above submission made by the learned counsel for the petitioner, this writ petition is dismissed reserving the petitioner's liberty to proceed with the appeal. No costs. Connected M.Ps are closed.

Sd/-
Assistant Registrar(CS IV)

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To

Sub Assistant Registrar

1. The Deputy Registrar of Co-op. Societies,
Virudhachalam Circle,
Virudhachalam,
Cuddalore District.
2. The General Manager,
E.1844 Cuddalore District Central
Co-operative Bank Ltd.,
Cuddalore, Cuddalore District.

+1cc to M/s.L.P.Shanmugasundaram, Advocate, S.R.No.45185
+1cc to Mr.C.Prakasam, Advocate, S.R.No.45448
+1cc to the Government Pleader, S.R.No.45404

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NM(CO)
CA(14/09/2015)