

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.27819 of 2015
and M.P.No.1 of 2015

V.A.Balasubramaniam

... Petitioner

vs.

1. The Deputy Registrar of Co-operative Societies, Office of the Deputy Registrar, Coimbatore - 641 018.

2. The Veerakeralam Urban Co-operative Credit Society, rep. by the Secretary, Veerakeralam, Coimbatore - 641 007.

... Respondents

Prayer :- Writ petition filed under Article 226 of the constitution of India praying for a writ of certiorari calling for the records relating to the notice of the first respondent namely Deputy Registrar of Co-operative Societies, Coimbatore in Ref.ARC No.239/2015/Saba.1 dated 12.08.2015 and quash the same.

For Petitioner : Mr.A.Dinesh

For Respondents : Mrs.T.P.Savitha,
Govt. Advocate (Co.op) (R1)
Mr.L.P.Shanmugasundaram,
Special Govt. Pleader (Co.op) (R2)

सत्यमेव जयते

O R D E R

The petitioner has challenged the summons issued by the respondents stating that the summon states that the petitioner has to appear before the respondent on 28.08.2015 on which day itself the petitioner has to file his response, documents and produce the witnesses on his side.

2. Heard Mr.A.Dinesh, learned counsel appearing for the petitioner and Mrs.T.P.Savitha, learned counsel appearing for the first respondent.

3. Though the learned counsel appearing for the petitioner would submit that the petitioner ceased to be a member in the year 2001 itself, after a period of fourteen years, the present impugned notice has been given, it is always open to the petitioner to put forth his contention before the respondent. The impugned notice is only a summon. What is required to be given is, reasonable opportunity to the petitioner to take part in the proceedings.

4. Taking into consideration that the next hearing is on 12.09.2015, the petitioner is directed to appear before the first respondent on the said date and the first respondent shall grant four weeks time to the petitioner to file his response and documents, and complete the enquiry within a period of twelve weeks thereafter, after affording adequate opportunity to the petitioner.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

rgr

To

1. The Deputy Registrar of Co-operative Societies, Office of the Deputy Registrar, Coimbatore - 641 018.

2. The Secretary, The Veerakeralam Urban Co-operative Credit Society, Veerakeralam, Coimbatore - 641 007.

+1 cc to Mr.L.P.Shanmugasundaram, Advocate, sr.48871
+1 cc to Mr.V.Nicholas, Advocate, sr.48416
+1 cc to Government Pleader, sr.48606

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