

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2015

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.Nos.38867 to 38870 of 2015 &
M.P.Nos.1+1+1+1 of 2015

P.Anitha	..Petitioner in W.P.No.38867 of 2015
V.Panneer Selvam	..Petitioner in W.P.No.38868 of 2015
A.V.Nithya	..Petitioner in W.P.No.38869 of 2015
P.Saravanan	..Petitioner in W.P.No.38870 of 2015

Vs

- 1.The Registrar of Co-operative Societies (Housing),
Chennai - 600 035.
- 2.The Deputy Registrar Co-operative Societies,
Salem.
- 3.The President,
SLM, HSG 98, Kadayampatti Women's
Urban Co-operative Housing Society Ltd.,
Chinna Thirupathi Karuvalli Post,
Omalar Taluk, Salem District. ..Respondents in all W.Ps.

Common Prayer:- Petitions filed under Article 226 of the Constitution of India praying to issue Writs of Certiorari, to call for the records of the second respondent relating to the order in Pro.Na.Ka.No.1211/2014/E, dated 17.08.2015 and to quash the same.

For Petitioners.. Mr.G.Punniyakotti
For Respondents.. Mr.Bala Ramesh
Addl.Govt.Pleader

C O M M O N O R D E R

With the consent of the learned counsel on either side, the writ petitions are taken up for final disposal.

2. Heard Mr.G.Punniyakoti, learned Counsel appearing for the petitioners and Mr.Bala Ramesh, learned Additional Government Pleader who accepted notice on behalf of the respondents.

3.In all these Writ Petitions, the petitioners have challenged the orders passed under section 87 of the Tamil Nadu Co-operative Societies Act, 1983.

4.Admittedly, in terms of section 152 of the Act, the petitioners have an efficacious alternative remedy of appeal before the the District Court, which is the Appellate Court, which can examine the correctness of the impugned orders. Therefore, the petitioners should necessarily avail the appeal remedy and cannot directly approach this Court by way of these Writ Petitions.

5.Therefore, these Writ Petitions are held to be not maintainable and accordingly they are dismissed. However, this will not prevent the petitioners from filing appeals before the concerned District Court under Section 152 of the Tamilnadu Co-operative Societies Act, and if such appeals are filed, the District Court shall consider the question of limitation liberally, so that the petitioners will be able to agitate the matter on merits.

The Writ Petitions are dismissed with the above observations. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VII)

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सत्यमेव जयते

Sub Assistant Registrar

To

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1.The Registrar of Co-operative Societies (Housing),
Chennai - 600 035.

2.The Deputy Registrar of Co-operative Societies(Housing),
Salem.

3.The President,
SLM,HSG 98, Kadayampatti Women's
Urban Co-operative Housing Society Ltd.,
Chinna Thirupathi Karuvalli Post,
Omalur Taluk, Salem District.

+1cc to Mr.G.Punniyakotti, Advocate, S.R.No.66352

+1cc to the Government Pleader, S.R.No.66599

W.P.Nos.38867 to 38870 of 2015

ctk(CO)
srg(05/01/2016)



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