

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. Nos.40568 to 40570 of 2015

&

connected M.Ps

M.Karunanidhi .. Petitioner in W.P.No.40568/2015
K.Manimegalai .. Petitioner in W.P.No.40569/2015
M.Vajravel .. Petitioner in W.P.No.40570/2015

Vs.

- 1 The Registrar of Co-operative Societies
Kilpauk, Chennai - 600 10.
- 2 The Deputy Registrar of Co-operative Societies
Krishnagiri, Krishnagiri District
- 3 The Sale Officer
Co-operative Societies Registrar/Field Officer
BDO Office, Kaveripattinam,
Krishnagiri District.
- 4 The Joint Registrar/Managing Director
Dharmapuri District Central Co-operative Bank Ltd
Nethaji Bye-pass Road
Dharmapuri-636 701

.. Respondents in all W.Ps.

COMMON PRAYER : Petitions filed Under Article 226 of the Constitution of India praying to issue Writ of certiorari to call for the records relating to the impugned proceedings issued by the 3rd Respondent in Ni.Ma.No. 05/2015-2016 dated 18.11.2015 and to quash the same.

For Petitioners : Mr.G.Sankaran

For Respondents : Mr.D.Venkatachalam 1 to 4
Govt.Advocate

For Intervenor : Mr.M.S.Palanisamy

C O M M N O R D E R

Heard Mr.G.Sankaran, learned Counsel appearing for the petitioners, Mr.D.Venkatachalan, learned Government Advocate who accepts notice for respondents 1 to 4 and Mr.Palanisamy, learned counsel who accepts notice for the intervenor and with their consent the Writ Petition is taken up for final disposal.

2.The petitioners have challenged the Sale Notice issued by the Sale Officer, the third respondent, wherein it has been stated that the petitioners along with others have caused loss to K.K.252, Veeramalai Primary Agricultural Co-operative Credit Society. However, the said Society has not been made as party to the present proceedings. All the grounds raised in these Writ Petitions are directed against the Sale Notice issued and without the concerned Society being made as a party, the correctness of the impugned sale notice cannot be gone into in the Writ Petitions. On this ground itself the Writ Petitions are liable to be dismissed.

3.As rightly pointed out by the learned Government Advocate as well as the intervenor who is the concerned Co-operative Society that if the petitioners have got any objection/claim, they can invoke the remedies available under Rule 135 of the Tamil Nadu Co-operative Societies Act, 1988.

With the above liberty, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.
rpa

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1 The Registrar of Co-operative Societies
Kilpauk, Chennai - 600 10.
- 2 The Deputy Registrar of Co-operative Societies
Krishnagiri, Krishnagiri District
- 3 The Sale Officer
Co-operative Societies Registrar/Field Officer
BDO Office, Kaveripattinam,
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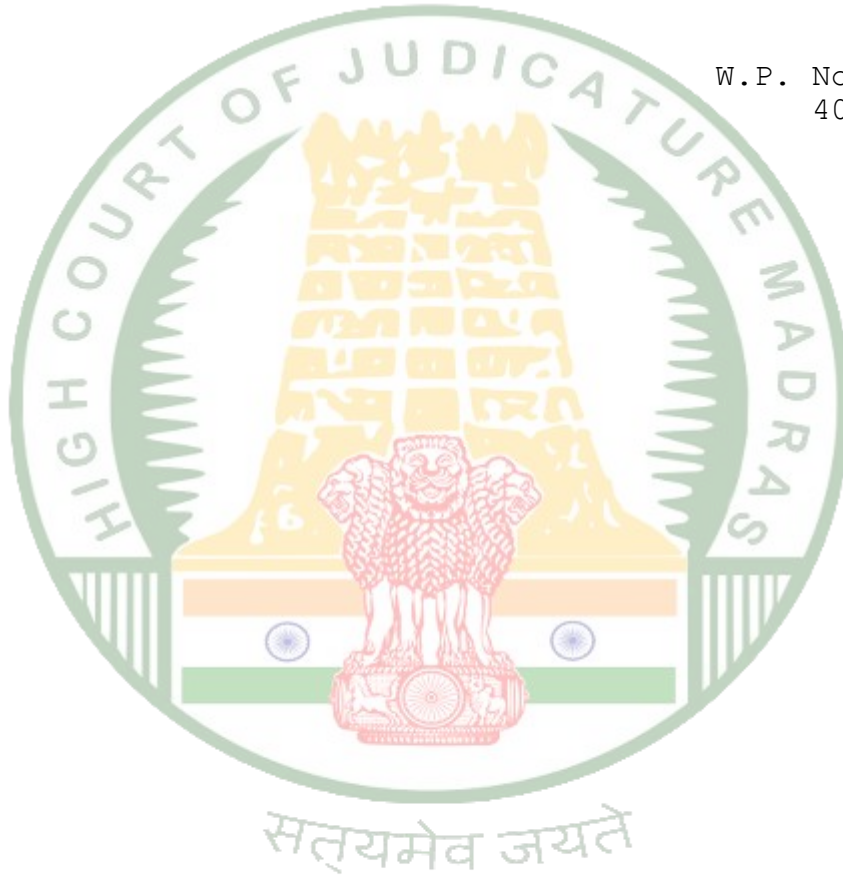
4 The Joint Registrar/Managing Director
Dharmapuri District Central Co-operative Bank Ltd
Nethaji Bye-pass Road, Dharmapuri-636 701.

+ 1 cc to Mr.M.S.Palanisamy, Advocate Sr 69551.

+ 3 ccs to Mr.G.Sankaran, Advocate Sr 69368.

MSM/CO
KR/23/12

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