



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

W.A. (MD) Nos. 86 and 87 of 2015

and

M.P. (MD) Nos. 1 and 1 of 2015

W.A. (MD) No. 86 of 2015:

P.C. Ganagunaseelan

... Appellant

Vs.

1.A.1493 Pattiveeranpatti Coffee and Cardamom
Growers Cooperative Credit Society,
Pattiveeranpatti (Via) Batlagundu,
Dindigul District.

2.The Cooperative Tribunal,
District Judge,
District Court Building, Dindigul.

3.The Deputy Registrar of Cooperative Societies,
Dindigul Circle,
Palani Main Road, Dindigul.

... Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent Act, against the common order passed by a Learned Single Judge of this Court in W.P. (MD) No. 7338 & 7339 of 2012 dated 21.07.2014.

For Appellant : Mr. T. Ravichandran

For Respondents : Mr. M. Alaguthevan, Spl. G.P.

W.A. (MD) No. 87 of 2015:

1.V. Chinnathambi
2.P. Magudapatheeswaran
3.M. Abdul Wahab
4.S. Sivaraj
5.A.K. Muraleedharan
6.K.V.P. Palanimuthu
7.R. palanimuthu
8.Murugananatham
9.R. Krishnaperumal
10.P.R. Arunmukar

... Appellants

Vs.

1.A.1493 Pattiveeranpatti Coffee and Cardamom
Growers Cooperative Credit Society,
Pattiveeranpatti (Via) Batlagundu,
Dindigul District.

2. The Cooperative Tribunal,
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District Court Building, Dindigul.



3.The Deputy Registrar of Cooperative Societies,
Dindigule Circle,
Palani Main Road, Dindigul.

...Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent Act, against the common order passed by a Learned Single Judge of this Court in W.P. (MD) No.7338 and 7339 of 2012 dated 21.07.2014.

Prayer in WP(MD). 7338/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, calling for the records of the impugned order passed by the 1st Respondent in C.M.A. (C.S.) No.16/2004 dated 09-12-2010 and quash the same.

Prayer in WP(MD). 7339/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, calling for the records of the impugned order passed by the 1st Respondent in C.M.A. (C.S.) No.14/2005 dated 09-12-2010 and quash the same.

For Appellants : Mr.P.C.Ganagunaseelan

For Respondents : Mr.M.Alaguthevan, Spl.G.P.

JUDGMENT

(Judgment of this Court was delivered by S.TAMILVANAN,J.)

Challenging the common order dated 21.07.2014 passed in W.P. (MD) Nos.7338 and 7339 of 2012 by the Learned Single Judge of this Court, these Writ Appeals have been preferred by the appellants.

2.Heard the learned counsel appearing for the appellants as well as the learned Special Government Pleader appearing for the respondents.

3.As per the impugned order passed by the Learned Single Judge all the connected Writ petitions were allowed and the impugned orders passed by the Cooperative Tribunal, Dindigul in C.M.A.Nos.14 and 16 of 2004 dated 19.12.2010 were set aside and the matter was remanded back to the Tribunal. The Learned Single Judge further directed to implead the petitioner / society therein as a party respondent in the Civil Miscellaneous Appeals and by affording opportunity to all the parties concerned to pass appropriate orders. It is open to the appellants herein to raise all the defence that are available for the appellant before the Tribunal.

4.Having gone through the impugned order, we could find no error or illegality in the impugned order to warrant any interference and there is no legal grievance available to the appellants. Hence, the Writ Appeals are liable to be dismissed.

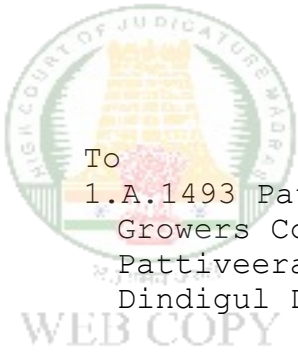
5.Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected M.Ps.are closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar



To

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Growers Cooperative Credit Soceity,
Pattiveeranpatti (Via) Batlagundu,
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2.The Cooperative Tribunal,
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+1cc to the Special Government Pleader in SR.9005

W.A. (MD) Nos.86 and 87 of 2015
and MP (MD) No.1 & 1 of 2015
24.02.2015

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