

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2016

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 25663 of 2016
&
W.M.P. No. 21989 of 2016

R. Varadharajan

..Petitioner

Vs.

1. The Deputy Registrar of
Co-op. Societies,
Thiruvannamalai Circle,
Thiruvannamalai & District.

2. The Co-operative Sub-Registrar/
Field Officer/ Sale Officer,
Thuringapuram,
O/o. Deputy Registrar of Co-op.
Societies,
Thiruvannamalai Circle,
Thiruvannamalai & 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 2nd respondent in his proceedings E.P. No. 112/2010-11-SF (SC No. 14/97-98), dated 19.07.2016 and quash the same.

For Petitioner :: Mr.C. Prakasam

For Respondents:: Mr.R. Bala Ramesh,
Addl. Govt. Pleader (Co-op.)

O R D E R

The petitioner is challenging the notice of attachment of his immovable property for not having paid the amount of Rs.24,169.30p demanded under the Surcharge Proceedings passed by the 2nd respondent.

2. When the writ petition is taken up, Mr.C. Prakasam, learned counsel for the petitioner has produced the proceedings dated 13.04.2016 passed by the Deputy Registrar, Tiruvannamalai under Rule 135(1) of the Tamil

Nadu Co-operative Societies Rules, 1988 in E.P. NO. 112/2010-11/SC No. 14/1997-98 wherein at paragraph No. 3, it has been clearly stated that out of the surcharge amount of RS.24,169.30p, as ordered by the Deputy Registrar, Tiruvannamalai, in S.C. No. 14/97-98 dated 12.02.1999, a sum of Rs.6,248/- alone is still pending, to be paid by the petitioner and the learned counsel for the petitioner submitted that the petitioner would remit the balance amount within a stipulated time.

3. In the light of the proceedings of the Deputy Registrar, Tiruvannamalai, dated 13.04.2016, and in view of the submission made by the learned counsel for the petitioner, the petitioner is directed to pay the balance amount of Rs.6,248/- to Mallavadi Primary Agricultural Co-operative Credit Society within a period of two weeks from the date of receipt of a copy of this order and on such payment, the petitioner shall stand discharged of the liability under the impugned order. The writ petition is disposed of with the above observation. No costs. Connected W.M.P. is closed.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

nv
To

1. The Deputy Registrar of Co-op. Societies,
Thiruvannamalai Circle,
Thiruvannamalai & District.
2. The Co-operative Sub-Registrar/
Field Officer/ Sale Officer,
Thurinjapuram,
O/o. Deputy Registrar of Co-op.
Societies,
Thiruvannamalai Circle,
Thiruvannamalai & District.

+1cc to Mr.C. Prakasam Advocate, S.R.No.42567
+1cc to the Government Pleader, S.R.No.42399

BVR(CO)
EU(10/08/2016)

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