

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.26234 of 2016
WMP.Nos.22495 and 22496 of 2016

M.Ramakrishnan

Petitioner

Vs

- 1.The Registrar of Cooperatiave Societies,
EVR, Periyar Road,
Chennai-10
 - 2.The Regional Joint Registrar of Cooperative Societies
Tirunelveli
 - 3.The Deputy Registrar of Cooperative Societies
Cheranmahadevi, Tirunelveli District.
- Respondents

Prayer:- This Writ Petition is filed to issue a Writ of Certiorari to call for the records of the 1st Respondent in Na.Ka.No.87197/2015, Patho(1), dated 7.6.2016, confirming the order of the 2nd Respondent in Na.Ka.No.5473/2012, Patho(2), dated 1.10.2015 and to quash the same.

For Petitioner : Mr.S.N.Ravichandran

For Respondent : Mr.L.P.Shanmugasundaram
Spl.GP(Co-op)

ORDER

This Writ Petition is filed to issue a Writ of Certiorari to call for the records of the 1st Respondent in Na.Ka.No.87197/2015, Patho(1), dated 7.6.2016, confirming the order of the 2nd Respondent in Na.Ka.No.5473/2012, Patho(2), dated 1.10.2015 and to quash the same.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The learned counsel for the Respondents pointed out that as against the impugned order dated 7.6.2016, there is an alternative remedy of filing a revision before the Government.

4. But, the learned counsel for the Petitioner would contend that in the mean while, after this Writ Petition

has been admitted by order dated 27.7.2016, the Respondents have started to recover the amount and therefore, till the Petitioner prefers a revision and gets orders passed thereon, he should be safeguarded.

5. As rightly pointed out by the learned counsel for the Respondents, when there is an alternative remedy of filing a revision against the impugned order available, the Petitioner is permitted to challenge the same before the Government by way of revision within a period of 10 days from the date of receipt of a copy of this order and on such revision being filed, the same shall be disposed of, on merits and in accordance with law, as expeditiously as possible. It is also made clear that till the Petitioner files a revision and gets orders thereon, there shall not be any recovery.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MPs are closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To:

- 1.The Registrar of Cooperatiave Societies
Chennai-10
 - 2.The Regional Joint Registrar of Cooperative Societies
Tirunelveli
 - 3.The Deputy Registrar of Cooperative Societies
Cheranmahadevi, Tirunelveli.
 - 4.The Secretary to Govt.,
Co-Operative, Food Consumer Protection Dept.,
Fort st.George, Chennai.
- +1 cc to M/s.S.N.Ravichandran, advocate, sr.46095
+1 cc to Govt.Pleader, sr.46232.

mp(co)
krd 7/9

WP.No.26234 of 2016