

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7895 of 2017

K.Thangaraj

.. Petitioner

-vs-

1. The Deputy Registrar of Cooperative Societies
Tiruchengode Range
Tiruchengode
Namakkal District
2. The Sub Registrar of Cooperative Societies/
Field Officer
Tiruchengode Division, Tiruchengode
Namakkal District
3. No.4091 Mallasamudram Primary
Agricultural Cooperative Credit Society Ltd.,
Mallasamudram 637 503
Tiruchengode Taluk
Namakkal District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records made in the impugned proceedings dated 24.02.2017 on the file of the third respondent herein and quash the same.

For Petitioner	::	Mr.T.Dhanyakumar
For Respondents	::	Mr.L.P.Shanmughasundaram Special Government Pleader

ORDER

The suspension order has been questioned before me, on the ground that as against the surcharge proceedings initiated under Section 87 of the Tamil Nadu Cooperative Societies Act for recovery of a sum of Rs.56,23,764/-, the petitioner has already filed a civil miscellaneous appeal before the learned Principal District Judge, Namakkal (Special Tribunal for Cooperative Societies cases) and the same is also pending. However, based on the enquiry under Section 81, the present impugned suspension order has been passed. Learned counsel for the petitioner also

submitted that the petitioner has already reached the age of superannuation on 31.3.2017.

2. Although the learned Special Government Pleader for the respondents submitted that the petitioner can avail the alternative remedy of revision before the Joint Registrar of Cooperative Societies under Section 153 of the Tamil Nadu Cooperative Societies Act, considering the fact that the petitioner has already reached the age of superannuation, no purpose would be served by going to the correctness of the impugned suspension order. Therefore, the writ petition is dismissed. Consequently, W.M.P.No.8627 of 2017 is also dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss
To

1. The Deputy Registrar of Cooperative Societies
Tiruchengode Range
Tiruchengode
Namakkal District
2. The Sub Registrar of Cooperative Societies/
Field Officer
Tiruchengode Division, Tiruchengode
Namakkal District
3. The President
No.4091 Mallasamudram Primary
Agricultural Cooperative Credit Society Ltd.,
Mallasamudram 637 503
Tiruchengode Taluk
Namakkal District

+1cc to Mr.L.P. Shanmugasundaram, Advocate, S.R.No.20545
+1cc to Mr.T. Dhanyakumar, Advocate, S.R.No.20497

GJII(CO)
md(18/04/2017)

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