

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2017

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

WP.No.10127 of 2009 and
MP.No.1 of 2010

K.Adhikesavan

..Petitioner

Vs.

- 1.The Joint Registrar,
Office of the Co-operative Societies,
Thiruvannamalai,
Thiruvannamalai District.
- 2.The Deputy Registrar,
Office of the Co-operative Societies,
Thiruvannamalai,
Thiruvannamalai District.
- 3.The Special Officer,
Primary Agricultural Co-operative Bank,
No.H.H.525, Kuppam-Village & Post,
Kannamangalam-Via,
Polur-Taluk,
Thiruvannamalai District.

.. Respondents

PRAYER:

The Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of certiorari to call for the records relating to conditional attachment order of the 2nd respondent in C.E.P.No.2/2009-10. A.R.C.2/2009-10. Dated 22.04.2009 and consequential proceedings in Tha.va.No.2/2009-2010, sa.pa.2. dated 25.05.2009, quash the same.

For Petitioner : Mr.R.Arumugam
For Respondents : Mr.V.Selvaraj,
Additional Government Pleader
(for R1 and R2)

Mr.L.P.Shanmugasundaram,
Special Government Pleader
(for R3)

ORDER

This petition is filed by the petitioner to call for the records relating to the conditional attachment order passed by the 2nd respondent in C.E.P.No.2/2009-10. A.R.C.2/2009-10, dated 22.04.2009 and consequential proceedings in Tha.va. No.2/2009-2010, sa.pa.2. Dated 25.05.2009 and for quashing the same.

2. The learned Counsel for the respondent would submit that the petitioner is having sufficient alternative remedy available under the Act. Hence, writ petition is not maintainable before this Court.

3. The learned Counsel appearing for the petitioner seeks time to file appeal before the Appellate Authority.

4. Taking into consideration the statement made by the parties concerned, this Court is of the view that since the writ petitioner is having efficacious alternative remedy available under section 151 of the Tamil Nadu Co-operative Societies Act 1983, this writ petition is not maintainable before this Court. Hence this writ petition is dismissed with liberty to the petitioner to file an appeal before the appellate authority under Section 151 of the Tamil Nadu Co-operative Societies Act. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

sai

+1 CC to Mr.R. Arumugam, Advocate sr 55551
+1 CC to Govt. Pleader sr 55675.

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SP(22/08/2017)