

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Fifth day of October Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE K. RAVICHANDRABAABU

WMP No.27689,27691, 27693, 27695, 27697, 27699 & 27701 of 2017

IN WP.26074 to 26080/2017

R.JAYARAMAN	[PETITIONER in WMP No.27689/17 in WP.26074/17]
S.JAYAPRAKASAM	[PETITIONER in WMP No.27691/17 in WP.26075/17]
K.KRISHNAN	[PETITIONER in WMP No.27693/17 in WP.26076/17]
M.BAGAVATHI	[PETITIONER in WMP No.27695/17 in WP.26077/17]
R.SARALA	[PETITIONER in WMP No.27697/17 in WP.26078/17]
A.K.SHAJAHAN	[PETITIONER in WMP No.27699/17 in WP.26079/17]
P.R.AJAYAKUMAR	[PETITIONER in WMP No.27701/17 in WP.26080/17]

Vs

1 THE PRESIDING OFFICER, [RESPONDENTS IN ALL THE PETITIONS]
COOPERATIVE TRIBUNAL / CHIEF JUDGE, COURT OF
SMALL CAUSES AT CHENNAI, CHENNAI 104.

2 THE DEPUTY REGISTRAR OF
COOPERATIVE SOCIETIES (CREDIT), TNHB
SHOPPING COMPLEX, 48, LATTICE BRIDGE ROAD,
ADYAR, CHENNAI 20.

3 THE GEORGE TOWN COOPERATIVE
BANK, REP BY ITS SPECIAL OFFICER, NO.65,
KRISHNAPPA AGRAHARAM STREET, CHENNAI 79.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(1) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.6/2011 dated 13.07.2017 and the order of the 2nd respondent herein in

order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27689 of 2017)

(2) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.15/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27691 of 2017)

(3) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.12/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27693 of 2017)

(4) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.7/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27695 of 2017)

(5) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.11/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27697 of 2017)

(6) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.14/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27699 of 2017)

(7) to grant an interim stay of all further proceedings pursuant to the order of the first respondent passed in C.M.A. No.2/2011 dated 13.07.2017 and the order of the 2nd respondent herein in order in Na. Ka. No. 10493/2003/Sa Pa 1 dated 20.10.2005 (in WMP No.27701 of 2017) pending disposal of above WP.26074 to 26080/2017

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.P.RAJENDRAN, Advocate for the petitioner in each of the petitions and of on behalf of the Respondents the court made the following order:-

Learned Counsel for the petitioner submitted that the petitioners were Directors of the Co-operative Bank and disbursed loans to small vendors by collecting the appropriate details and therefore, they cannot be blamed as though loans were given to some unknown persons. He further pointed out that during the surcharge proceedings, the

respondents have not furnished the documents sought for by the petitioners for facing the enquiry and defending the same effectively and suitably, Therefore, he submitted that the impugned proceedings confirmed by the Appellate Authority cannot be sustained on the ground of violation of principles of natural justice.

2. Considering all these aspects, the respondents are directed to maintain quo as on today for a period of six weeks. Notice to the respondents returnable six weeks.

-sd/-

05/10/2017

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE PRESIDING OFFICER,
COOPERATIVE TRIBUNAL / CHIEF JUDGE, COURT OF
SMALL CAUSES AT CHENNAI, CHENNAI 104.

2 THE DEPUTY REGISTRAR OF
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KRISHNAPPA AGRAHARAM STREET, CHENNAI 79.

C.C. to M/S.P.RAJENDRAN Advocate SR.NO. 12873

Order

in

WMP No.27689,27691, 27693, 27695,
27697, 27699 & 27701 of 2017
IN WP.26074 to 26080/2017

Date :05/10/2017

From 26.2.2001 the Registry is issuing certified
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T.R (06/10/2017)