

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.04.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.21043 of 2016

and

W.M.P.Nos.18005 and 22220 of 2016

Jayabalan,
President,
Primary Agriculture Co-operative
Credit Society, Nolambur,
S/o Munusamy,
Mariamman Koil Street,
Eapakkam Village,
Andapattu Post,
Tindivanam Taluk,
Villupuram District. .. Petitioner

/versus/

- 1.The Secretary,
Government of Tamil Nadu,
Co-operative Department,
Fort St.George,
Chennai 600 009.
- 2.The Deputy Registrar,
Co-operative Societies,
Tindivanam,
Villupuram District.
- 3.The Regional Joint Registrar,
Co-operative Societies,
Villupuram.
- 4.The Co-operative Sub Registrar/
Field Officer,
Melmalaiyanur, Gingee Taluk,
Villupuram District. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Regional Joint Registrar, Villupuram, the 3rd respondent herein culminating in Na.Ka.No.5774/2015, S.P. dated 07.06.2016 and quash the same and further direct the 2nd and 3rd respondents to drop all further actions under Section 87(1) of the Tamil Nadu Co-operative Societies Act, 1983 against the petitioner.

For Petitioner :Mr.K.Balakrishnan
For Respondents :Mrs.T.Girija, GA

O R D E R

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus, calling for the records of the Regional Joint Registrar, Villupuram, the 3rd respondent herein culminating in Na.Ka.No.5774/2015, S.P. dated 07.06.2016 and quash the same and further, direct the 2nd and 3rd respondents to drop all further actions under Section 87(1) of the Tamil Nadu Co-operative Societies Act, 1983, against the petitioner.

2. The learned counsel appearing for the petitioner has conceded before this Court that under Section 152(2)(5) of the Tamil Nadu Co-opearative Societies Act, 1983, the remedy is available to the petitioner to file an appeal before the Registrar.

3. In the light of the submission made by the learned counsel appearing for the petitioner, it is open to the petitioner to file an appeal before the appellate Authority, within a period of four weeks from the date of receipt of a copy of this order, if it is so advised. In the mean time, interim order already granted by this Court on 21.06.2016 is extended for further period of four weeks.

4. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1.The Secretary,
Government of Tamil Nadu,
Co-operative Department,
Fort St.George,
Chennai 600 009.

2.The Deputy Registrar,
Co-operative Societies,
Tindivanam,
Villupuram District.

3.The Regional Joint Registrar,
Co-operative Societies,
Villupuram.

4.The Co-operative Sub Registrar/
Field Officer,
Melmalaiyanur,Gingee Taluk,
Villupuram District.

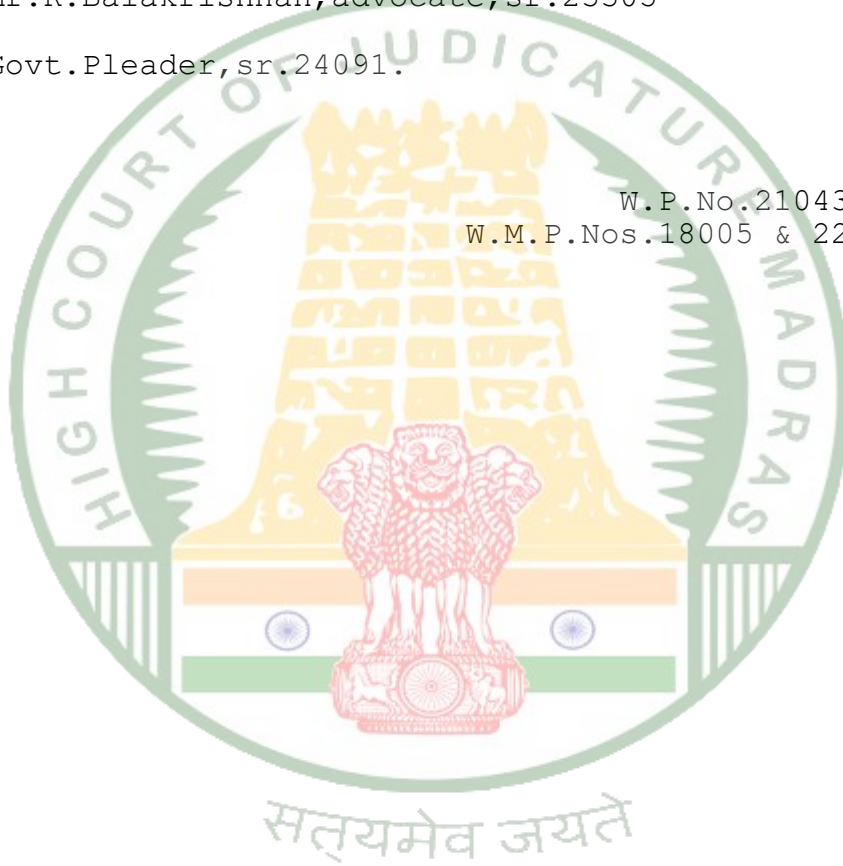
+1 cc to M/s.L.P.Shanmugasundaram,advocate,sr.23709

+1 cc to Mr.K.Balakrishnan,advocate,sr.23305

+1 cc to Govt.Pleader,sr.24091.

rr(co)
krd 5/5

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