

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.01.2017

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. No.21315 of 2002

Anupparpalayam Primary
Agricultural Co-operative Bank,
rep. by its Special Officer .. Petitioner

-vs-

1.The Principal District Judge,
Coimbatore.

2.The Deputy Registrar of Co-operative Societies,
Pollachi.

3.M.Ramaswamy .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records pertaining to the order dated 16.08.2001 passed in Co-operative Miscellaneous Appeal No.16 of 1996 on the file of the Principal District Judge, Coimbatore, the first respondent herein.

For Petitioner : No appearance

For Respondents : Mr.V.Selvaraj for R1
Mr.L.P.Shanmugasundaram,
Special Government Pleader
(Co-op) for R2
Mr.R.Sivakumar for R3

O R D E R

This writ petition is filed challenging an order dated 16.08.2001 passed by the Principal District Judge, setting aside surcharge order dated 25.08.1995.

2.The petitioner was called absent on earlier occasions as well as today, both initially as well as after having been passed over. The order sheet reveals several prior adjournments. The matter is thus taken up for hearing in the presence of Mr.Sivakumar, learned counsel for R3, who is heard.

3.The impugned order contains an unambiguous finding of fact that the surcharge order was passed contrary to the principle of natural justice and that no opportunity had been granted while passing the same.

4.In view of the aforesaid findings, I do not find any reason to interfere with the order impugned to. This writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

vga

To

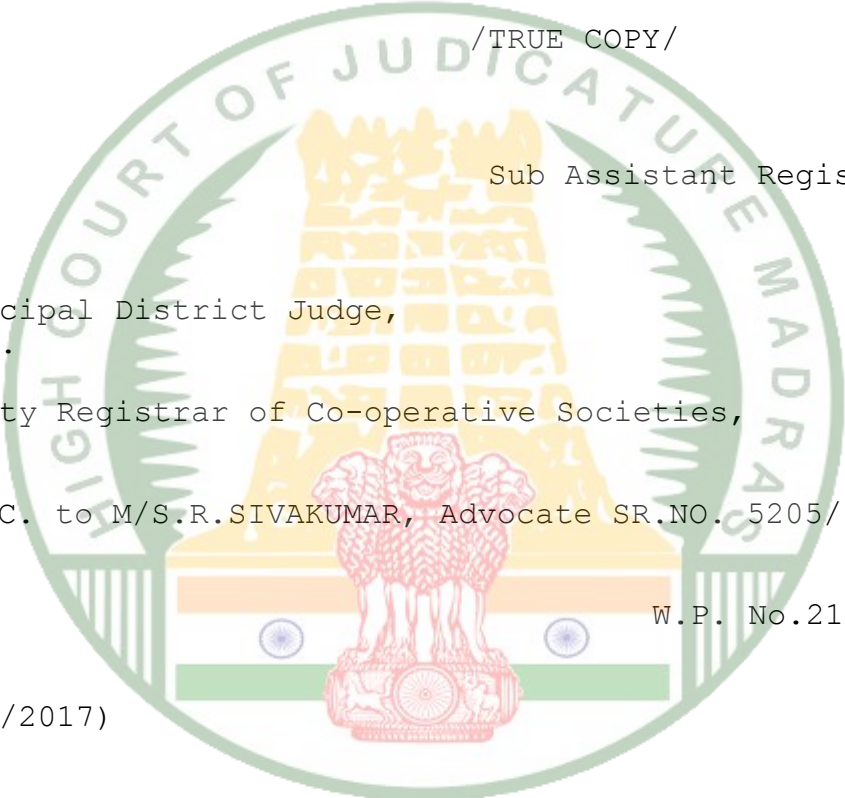
1.The Principal District Judge,
Coimbatore.

2.The Deputy Registrar of Co-operative Societies,
Pollachi.

+1 C.C. to M/S.R.SIVAKUMAR, Advocate SR.NO. 5205/17

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NRJK (CO)
T.R (06/10/2017)



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