

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.7.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.28980 of 2013
and M.P.No.1 of 2013

D.PAVUNRAJ

S/O.DHARMALINGAM P. OTTAKKOVIL VILLAGE
PUNGANKUZHI POST, AMBAPUR VIA,
ARIYALUR TALUK AND DISTRICT

PETITIONER

Vs.

1 THE DEPUTY REGISTRAR OF
COOP. SOCIETIES ARIYALUR CIRCLE ARIYALUR
ARIYALUR DISTRICT

2 P. DHANAVEL
S/O.PITCHAI KONAR P. OTTAKKOVIL POST
ARIYALUR DISTRICT.

RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari calling for the records of the 1st respondent in Dispute No.1/2013 Sa.Pa. dt 11.10.2013 and quash the same.

For Petitioner : Mrs.Hemalatha for
Mr.C.Prakasam

For Respondent No.1 : Mr.V.Selvaraj, A.G.P.

For Respondent No.2 : Mr.P.Rajendran

O R D E R

The petitioner has challenged the impugned order passed by the first respondent under Section 90 of the Tamil Nadu Cooperative Societies Act. According to the petitioner, the impugned order passed by the first respondent is illegal, perverse as the said order was passed without considering Rule 63 of the said Act. Therefore, the petitioner has filed the present writ petition before this Court.

2 The learned Additional Government Pleader for the first respondent would submit that as against the order passed by the first respondent, the petitioner can prefer an appeal before the tribunal under Section 152 of the Tamilnadu

Cooperative Societies Act.

3 In view of the fact that the petitioner has efficacious alternative remedy under Section 152 of the Tamilnadu Cooperative Societies Act, the writ petition is not maintainable. However, liberty is granted to the petitioner to file an appeal before the tribunal if so advised, within a period of three weeks from the date of receipt of a copy of this order. If no such appeal is preferred, the respondent shall proceed in accordance with law.

The writ petition is dismissed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

THE DEPUTY REGISTRAR OF COOP. SOCIETIES,
ARIYALUR CIRCLE ARIYALUR
ARIYALUR DISTRICT

+1 CC to Ms. C. Prakasam, Advocate sr 50451

+1 CC to The Govt. Pleader sr 51054.

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SP(01/08/2017)

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