

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2017

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.19337 of 2012

and

M.P.No.2 of 2012

D.Gunasekaran

..Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Coimbatore Circle, Coimbatore.

2. The Special Officer,
Vedapatti Primary Agricultural
Co-operative Credit Society,
Vedapatti,
Coimbatore-7.

..Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Tha.Thi.3/2001 Sa.Pa.1, dated 23.01.2002 which was confirmed by the District and Sessions Court, Coimbatore in C.M.A.No.74/2002, dated 03.04.2008 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents 1 & 2: Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the surcharge award has been passed against the petitioner as well as the President of the Society and other employees of the Society. Challenging the said surcharge order, the petitioner has filed an appeal. The aforesaid appeal was dismissed and he filed the present writ petition before this Court.

2. The learned counsel for the petitioner would submit that pending the writ petition, the then President of the Society, who is also a party to the surcharge award has paid surcharge amount to the petitioner Society. The aforesaid contention was not denied by the learned counsel for the respondents. The learned counsel for the respondents seeks liberty if any arrears of amounts to be paid by them under the surcharge award and the same shall be recovered from the petitioner and other employees jointly and severally.

3. In view of the submission made by the learned counsel for the parties, no further adjudication is required in the writ petition, this Writ Petition is disposed of with liberty. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssn
To

1. The Deputy Registrar of Co-operative Societies,
Coimbatore Circle, Coimbatore.

2. The Special Officer,
Vedapatti Primary Agricultural
Co-operative Credit Society,
Vedapatti,
Coimbatore-7.

+1cc to Mr.C.Prakasam, Advocate sr.68995

+1cc to Mr.L.P.Shanmugasundaram, sr.69441

+1cc to Government Pleader sr.69441

W.P. No.19337 of 2012 and
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sr(co)
ss(26/10/2017)