

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.33672 of 2004

and

W.P.M.P.Nos.40731 to 40733 of 2004

D.Buela

... Petitioner

- Vs -

1. Branch Manager,
Vellala Co-operative Bank Ltd.,
Kaladipet Branch,
249/108, T.H.Road,
Kaladipet,
Chennai-600 090.

2. Sub-Registrar,
Co-operative Societies,
Deputy Registrar's(Loans) Office,
Adyar, Chennai.

3. Regional Joint Registrar of
Co-operative Societies,
Chennai.

4. Varma and Company,
Government Auctioners and
Estate Agents,
159, Mint Street,
Sowcarpet, Chennai-600 079.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records in ARC 311/03-04 dated 30.01.2004 of the second respondent and quash the order passed therein.

For Petitioner

: Mr.Suresh
for R.Sundar

For Respondents 1 to 4

: Mr.L.P.Shanmugasundaram
Special Govt.Pleader

O R D E R

The petitioner has challenged the impugned award passed by the 2nd respondent in ARC No.311/03-04 dated 30.01.2004 before this Court.

2. The learned Special Government Pleader would submit that the petitioner is having alternative remedy available before the concerned authority under Section 152 of the Tamil Nadu Co-operative Societies Act, has filed the present writ petition before this Court and the same is not maintainable.

3. In view of the submission made by the learned Special Government Pleader, the petitioner has filed the present writ petition challenging the impugned award dated 30.01.2004 before this Court is not maintainable and the petitioner having the alternative remedy available under Section 152 of the Tamil Nadu Co-operative Societies Act.

4. In view of the above facts and circumstances, this writ petition is dismissed as not maintainable with liberty to the petitioner to approach the concerned authority under the provisions of the Tamil Nadu Co-operative Societies Act, if so advised within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

सत्यमेव जयते Sub Asst. Registrar

ssn

To

1. Branch Manager,
Vellala Co-operative Bank Ltd.,
Kaladipet Branch,
249/108, T.H.Road,
Kaladipet,
Chennai-600 090.

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2. Sub-Registrar,
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Chennai.

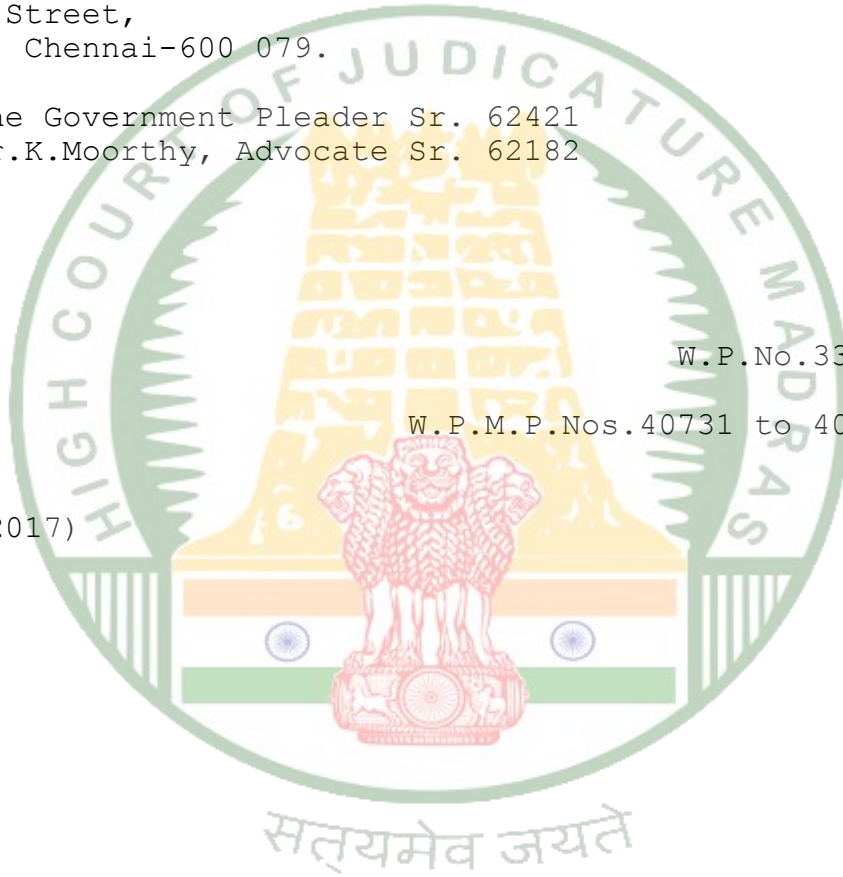
4. Varma and Company,
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159, Mint Street,
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+1cc to the Government Pleader Sr. 62421
+1cc to Mr.K.Moorthy, Advocate Sr. 62182

W.P.No.33672 of 2004
and

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GP(CO)
VR(19/08/2017)



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