



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

W.P (MD) No.17039 of 2017

and

WMP (MD) No.13614 and 13615 of 2017

G.Lal Bahadur Murugan

... Petitioner

**Vs.**

1. The Joint Registrar of Co-operative Societies,  
Department of Co-operative Society,  
Collectorate Complex,  
Ramanathapuram,  
Ramanathapuram District.
2. The Deputy Registrar of Co-operative Societies,  
Office of the Deputy Registrar of Co-operative Societies,  
K.T.M.Kasim Centre,  
Ramanathapuram District.
3. The RR-1397, Schwatz Higher Secondary School,  
Employees Co-operative Thrift and Credit Society,  
Represented by its President,  
Ramanathapuram,  
Ramanathapuram District.
4. The Sub Registrar,  
Vellipakkinam,  
Vandikaran Street,  
Ramanathapuram District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the records of the impugned order passed by the 2nd respondent in his proceedings in Ne.Ma.No.1/2017-18 (Na.Ka.1163/2017 Sa.Pa) dated 26.05.2017 and consequently order passed in Ne.Ma.No.1/2017-18 (Na.Ka.1163/2017 Sa.Pa) dated 29.05.2017 quash the same.

For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.M.Alagathevan,  
Special Government Pleader

**ORDER**

By consent, the writ petition is taken up for final disposal at the stage of admission itself.

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2.The petitioner, questioning two impugned communications, wherein he was directed to furnish adequate security for a sum of Rs.88,39,660/-, so as to avoid the attachment followed by auctioning the property, is before this Court.

3.Heard both sides.

4.According to the learned counsel for the petitioner, the orders impugned herein had not at all been served to the petitioner and straight away, the attachment notice came to be issued. The learned Special Government Pleader appearing for the respondents has not seriously refuted such contentions.

5.Under such circumstances, this Court has no other option except to quash two impugned communications issued. Accordingly, the impugned orders passed by the second respondent in Ni.Ma.No.1/2017-18 (Na.Ka.1163/2017 Sa.Pa) dated 26.05.2017 and Ni.Ma.No.1/2017-18 (Na.Ka.1163/2017 Sa.Pa) dated 29.05.2017 are set aside, on condition that the petitioner shall furnish adequate security for the said loan amount as indicated in the impugned orders within a period of four weeks from the date of receipt of a copy of this order. On such compliance, the respondents are directed to pass appropriate orders after due opportunity of hearing to the petitioner within a period of four weeks there-from. In the event of the petitioner fails to comply with the above direction, it is always open to the respondents to proceed further in the manner known to law.

6.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

**To**

1. The Joint Registrar of Co-operative Societies,  
Department of Co-operative Society,  
Collectorate Complex,  
Ramanathapuram,  
Ramanathapuram District.



2. The Deputy Registrar of Co-operative Societies,  
Office of the Deputy Registrar of Co-operative Societies,  
K.T.M.Kasim Centre,  
Ramanathapuram District.

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3. The President,  
RR-1397, Schqatz Higher Secondary School,  
Employees Co-operative Thrift and Credit Society,  
Ramanathapuram,  
Ramanathapuram District.

4. The Sub Registrar,  
Vandikaran Street,  
Ramanathapuram District.

+ 1 CC TO Mr.M.SUBASH BABU, ADVOCATE IN SR No. 87262

DSK

TE/SKN-RSK/SAR-2 : 24/11/2017 : 3P/6C

ORDER MADE IN  
W.P(MD)No.17039 of 2017 and  
WMP(MD)No.13614 and 13615 of 2017  
13.11.2017