

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.5149 of 2018

and

WMP.No.6322 of 2018

1. S.P.Kandasamy

2. A.Karthikeyan

3. P.Shanmugam

4. P.Vasanthan

5. S.Vijayalakshmi

6. M.P.Elango

... Petitioners

Vs.

1.The Joint Registrar Co-operative Societies  
Namakkal Zone, Namakkal District.

2.The Deputy Registrar Co-operative Societies  
Namakkal Circle, Namakkal District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the 1st respondent from proceeding under Sec.36(1) of the Tamil Nadu Co-operative Societies Act, against the petitioners pursuant to the notice in Na.Ka.6146/2016/SaPa dated 09.02.2018 before concluding the surcharge proceedings under Sec.87(1) of the Tamil Nadu Co-operative Societies Act, pending on the file of the 2nd respondent in Na.Ka.4652/2016/ThoVeSa dated 30.03.2017 based on the representations of the petitioners dated 01.03.2018.

For Petitioners : Mr.C.Jagadish

For Respondents : Mr.L.P.Shanmugasundaram  
Special Government Pleader

O R D E R

This writ petition is filed seeking for a mandamus forbearing the first respondent from proceeding with the show cause notice dated 09.02.2018 issued under Section 36(1) of the Tamil Nadu Co-operative Societies Act.

2. It is represented by the learned counsel for the petitioners that the petitioners would agitate the matter before the first respondent by filing an additional objection. Therefore, he seeks permission of this Court to withdraw this writ petition with liberty to file an additional objection.

3. Considering the above stated facts and circumstances, this writ petition is dismissed as withdrawn, without expressing any view on the merits of the matter, however, by granting liberty to the petitioners to file an additional objection to the show cause notice, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Joint Registrar Co-operative Societies  
Namakkal Zone, Namakkal District.

2.The Deputy Registrar Co-operative Societies  
Namakkal Circle, Namakkal District.

+1cc to Mr.S.Senthil, Advocate, S.R.No.17728

+1cc to the Government Pleader, S.R.No.18120

W.P.No.5149 of 2018

SS(CO)  
RRK(20/03/2018)