

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.13990 of 2009
and M.P.No.1 of 2009

1.A.Gandhi Baskaran
2.C.Gnanasekaran
3.V.Ramakrishnan
4.A.Narayanan
5.C.Venkatesan
6.D.Balu Reddy
7.B.Sanjeevirayan

.... Petitioners

Vs.

1.The Deputy Registrar of Co-operative Societies,
No.55, Kosamada Street,
Tiruvannamalai-606 601,
Tiruvannamalai District.

2.The Joint Registrar of Co-operative Societies,
No.55, Kosamada Street,
Tiruvannamalai-606 601,
Tiruvannamalai District.

3.The Thandrapattu Co-op.Primary Agricultural
and Rural Development Bank,
Thandrapattu Village,
Tiruvannamalai District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent in his proceedings in Na.Ka.5109/08 dated 12.05.2008 and quash the same and consequently directing the respondents herein to pay the withheld amounts together with interest to the petitioners with all other attendant benefits pursuant to the setting aside of the proceedings of the first respondent in Na.Ka.No.4770/97, Niva dated 14.05.1998 forthwith.

(Prayer amended as per Order dated 06.01.2012 in M.P.No.1 of 2011 in W.P.No.13990 of 2009).

For Petitioners : Mr.J.Selvarajan

For Respondents : Ms.T.Girija,
Government Advocate for R1 & R2

Mr.R.Thirugnanam for R3

O R D E R

The petitioners have challenged the impugned order of dismissal dated 12.05.2008 passed by the second respondent herein, on the ground that the said order has been dismissed only on the point of limitation without even appreciating the valid points that have been put forth on the side of the petitioners.

2.Reiterating the above, the learned counsel for the petitioners has submitted that the impugned order passed by the second respondent has to be quashed and the matter has to be remitted to the second respondent for considering the same on merits. The learned counsel for the respondents have also not objected to the said submission.

3.In view of the above, the impugned order passed by the second respondent dated 12.05.2008 is set aside and the matter is remitted to the second respondent, who is the revisional authority, to consider the same on merits and in accordance with law, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order, taking note of the fact that the order dated 15.04.1998 in Na.Ka.No.4770/1997 Niva, passed by the first respondent had already been considered and orders have been passed by this Court.

4.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

KM

To

1.The Deputy Registrar of Co-operative Societies,
No.55, Kosamada Street,
Tiruvannamalai-606 601,
Tiruvannamalai District.

2.The Joint Registrar of Co-operative Societies,
No.55, Kosamada Street,
Tiruvannamalai-606 601,
Tiruvannamalai District.

3.The Thandrampattu Co-op.Primary Agricultural
and Rural Development Bank,
Thandrampattu Village,
Tiruvannamalai District.

+1cc to Mr.R.Thirugnanam, Advocate SR.No.87239

+1cc to Government Pleader SR.No.87926

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and M.P.No.1 of 2009

CNR (CO)
GMY (23/01/2019)



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