

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.31842 and 31843 of 2005
in
W.P.M.P.Nos. 34918 and 34919 of 2005

P.Selvaraj ..Petitioner in W.P.No.31842 of 2005
D.Thirugnanam ..Petitioner in W.P.No.31843 of 2005

-vs-

1. The Deputy Registrar of
Co-operative Societies,
Thiruvapur,
Thiruvapur District. 1st Respondent in both WP.s
2. The Management of
ZA-72, Thappalampuliyur Primary
Agricultural Co-operative Bank Ltd.,
Perumal Koil Street,
Thappalampuliyur,
PIN 610 106.
Thiruvapur District
Rep. By its Special Officer. Respondent in WP.No.31842/2013
3. The Management of
2A-77, Adiyakkamangalam Primary
Agricultural Co-operative Bank Ltd.,
Manakkeni Street,
Adiyakkamangalam, सतयमेव जयते
Thiruvapur Taluk & District,
Rep. By its Special Officer. Respondent in WP 31843/2005

Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorari, calling for the records of the 1st Respondent which is made in Na.Ka.No.5899/2002 Ku.Vi.Ka., dated 31.08.2005 which was served on the Petitioners on 19.09.2005 and 13.09.2005 respectively and quash the same.

For Petitioners in both WPs:Mr.R.Malaichamy

For Respondents in both Wps:M/s.T.Girija,
Government Advocate (Co-op),
For R1 & R2.

COMMON ORDER

The Show Cause Notice has been issued by the Deputy Registrar of Co-operative Societies in proceeding dated 31.08.2005, pursuant to the orders passed by the Honourable Division Bench of this Court in W.A.Nos.2501, 2502 of 2001 batch. In respect of irregular appointments in Co-operative Societies across the State, the Honourable Division Bench adjudicated the issues in the case of L. Justine & Ors vs The Registrar Of Cooperative Societies, reported in (2002) 4 CTC 385 and issued directions. Implementing the above directions, the Deputy Registrar of Co-operative Societies issued the Show Cause Notice to the writ petitioner holding that the writ petitioners are not possessing the requisite age and their appointment was irregular. Instead of submitting their explanations/objections in respect of the contentions set out in the notice, the petitioners have chosen to file the present writ petition.

2. This Court is of an opinion that the show Cause Notice itself was issued by the authorities pursuant to the orders passed by the Honourable Division Bench of this Court. If at all the appointment of the writ petitioner was irregular, then the same cannot be condoned.

3. Thus, it is left open to the writ petitioner to submit their explanations/objections and defend their case before the Competent Authorities. However, no writ can be entertained against the Show Cause Notice, as the Notice itself was issued in order to provide opportunity and pursuant to the orders passed by this Court.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

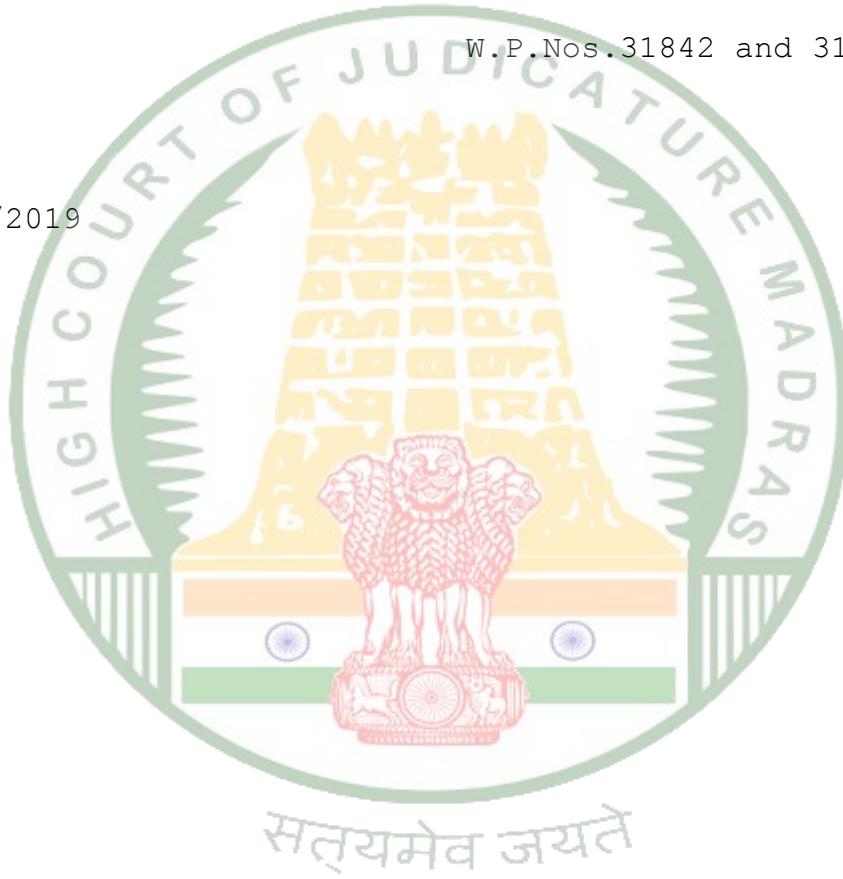
To

The Deputy Registrar of
Co-operative Societies,
Thiruvavarur, Thiruvavarur District.

+2cc to Mr.R.Malaichamy, Advocate Sr.87591
+1cc to the Government Pleader Sr.87923

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rv[co]
srg 24/01/2019



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