



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM :

**THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN**

W.P (MD) No.3728 of 2018

and

WMP (MD) No.3877 of 2018

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1.V.Karunanidhi

President,

S/o.Varaiya

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk, Tiruchirapalli District.

2.K.Baulraj

Director,

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk, Tiruchirapalli District.

3.J.Vetrikondan

S/o.Jayaraj

Director,

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk, Tiruchirapalli District.

4.B.Karunamudi

S/o.Balasubramanian,

Director,

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk, Tiruchirapalli District.

5.M.Kavitha

W/o.Mudiarasan,

Director,

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk,

Tiruchirapalli District.

6.Manimegalai,

W/o.Sakthivel,

Director,

TY.SPL.64 Alangudi Mahajanam Primary

Agricultural Cooperative and Thrift Society,

Lalkudi Taluk,

Tiruchirapalli District.

.. Petitioners



1.The Registrar of Cooperative Societies,  
Tiruchirapalli.

2.The Joint Registrar of Cooperative Societies,  
Tiruchirapalli.

3.The Cooperative Sub Registrar/Field Officer,  
Pullambadi, Alangudi,  
Tiruchirapalli.

4.N.Balaji  
S/o.Natarajan  
Vice President,  
TY.SPL.64 Alangudi Mahajanam Primary  
Agricultural Cooperative and Thrift Society,  
Lalkudi Taluk,  
Tiruchirapalli District.

5.D.Banumathi  
W/o.Dhanaraj  
Director,  
TY.SPL.64 Alangudi Mahajanam Primary  
Agricultural Cooperative and Thrift Society,  
Lalkudi Taluk,  
Tiruchirapalli District.

6.Pushpam  
W/o.Late Kandan  
Director,  
TY.SPL.64 Alangudi Mahajanam Primary  
Agricultural Cooperative and Thrift Society,  
Lalkudi Taluk,  
Tiruchirapalli District.

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorari calling for the records of the second respondent herein in Na.Ka.No.699/2018/SP dt.14/02/2018 and quash the same.

For Petitioners : Mrs.AL.Ganthimathi

For Respondents : Mr.Aayiram K.Selvakumar  
1 to 3 Additional Government Pleader

### ORDER

This writ petition has been filed challenging the show cause notice issued by the second respondent under Section 88 of the Tamil Nadu Cooperative Societies Act, 1983.



2.The learned counsel appearing for the petitioners has vehemently contended that the respondents have no jurisdiction to issue the impugned notice, as there is no persistent default committed by the Board.

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3.Admittedly, the petitioners have only challenged the show cause notice issued by the second respondent, calling for the petitioners' objections, relating to the enquiry initiated against them under Section 88 of the Tamil Nadu Cooperative Societies Act, 1983. If the petitioners have any valid objection for the same, it is always open to them to file their objections before the second respondent. Further, the second respondent is the only authority competent to issue show-cause notice and the petitioners also did not challenge the jurisdiction. Under the said circumstances, the writ petition, challenging the show cause notice is not maintainable. Hence, this writ petition is dismissed. However, the petitioners are directed to file their objections, if any, before the second respondent. On filing such objections, the second respondent is directed to consider the same and pass orders on merits and in accordance with law. No costs. Consequently, WMP(MD) No.3877 of 2018 is closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Registrar of Cooperative Societies,  
Tiruchirapalli.

2.The Joint Registrar of Cooperative Societies,  
Tiruchirapalli.

3.The Cooperative Sub Registrar/Field Officer,  
Pullambadi, Alangudi,  
Tiruchirapalli.

+One cc to Mr.AL.Ganthimathi, Advocate, SR.No.50627

+One cc to The Special Government Pleader, SR.No.50983

mj

RL/6C/2P/KKR/SAR2/9/3/2018

W.P (MD) No.3728 of 2018

22.02.2018