



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.5058 of 2018andW.M.P (MD) Nos.5027 and 5028 of 2018

S.Balamurugan

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Virudhunagar Collectorate Complex,
Virudhunagar District.

2.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Pandalkudi Road, Aruppukottai,
Virudhunagar District.

3.S.Pothiraj,
(Enquiry Officer),
Co-operative Sub Registrar/Enquiry Officer,
Office of the Circle Deputy Registrar,
Virudhunagar District.

... Respondents

Petition filed under Article 226 Constitution of India to
issue a Writ of Certiorari, to call for the records relating to
the impugned enquiry report under Section 81 dated 17.03.17 issued
by the 3rd respondent and quash the same as illegal.

For Petitioner : M/s.Chamundi Bose
For Respondents 1&2 : Mrs.J.Padmavathi Devi,
Special Government Pleader.

ORDER

This writ petition has been filed challenging the report submitted by the third respondent under Section 81(1) of the Tamil Nadu Co-operative Societies Act. Against the order under Section 81(1) of the Act, an appeal remedy is provided under Section 152 of the Tamil Nadu Co-operative Societies Act. The petitioner without availing the alternative remedy cannot maintain the writ petition before this Court. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to challenge the said order in the manner known to law, if he is so advised.



3. In view of the said submission, the third respondent is directed to furnish the said report to the petitioner. No costs. Consequently, W.M.P(MD) Nos. 5027 and 5028 of 2018 are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Joint Registrar of Co-operative Societies,
Virudhunagar Collectorate Complex, Virudhunagar District.
2. The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Pandalkudi Road, Aruppukottai, Virudhunagar District.

Copy to:-

The Sub-Assistant Registrar (Writs)
Madurai Bench of Madras High Court,
Madurai
(For information)

+One cc to M/s. Chamundi Bose, Advocate, SR.No. 54491

+One cc to The Special Government Pleader, SR.No. 54596

sms
RL/6C/2p/CVC/SAR1/4/4/2018

Writ Petition (MD) No. 5058 of 2018

09.03.2018