



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.21765 of 2017

and

W.M.P. (MD) No.18053 of 2017

N.Sangeetha

... Petitioner

-Vs-

1.The Joint Registrar of Cooperative Societies,
Sivagangai District, Sivagangai.

2.The Deputy Registrar of Cooperative Societies,
Sivagangai District, Sivagangai.

3.Q531 Ladanenthall Primary Agricultural
Cooperative Society,
Ladanenthall, Thiruppuvanam Taluk,
Sivagangai District,
Represented by the Special Officer.

... Respondents

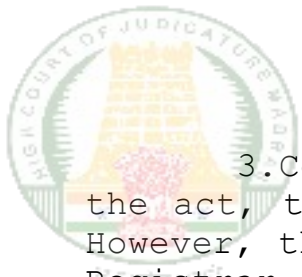
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the impugned order of the first respondent in Na.Ka.2103/2016 Sa.Pa. Dated 22.09.2017 and quash the same as illegal in so far as the petitioner is concerned.

For Petitioner : Mr.R.R.Kannan
For R1 & R2 : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.
For R3 : Mr.D.Sadiq Raja

ORDER

The Writ Petition has been filed challenging the order dated 22.09.2017 passed by the first respondent under Section 36 (1) of the Tamil Nadu Co-operative Societies Act, 1983.

2.The learned counsel appearing for the respondents submitted that against the impugned order passed under Section 36 (1) of the Tamil Nadu Co-operative Societies Act, 1983, an appeal is provided under Section 152 of the Co-operative Societies Act. Hence, this Writ Petition is not maintainable.



3. Considering the fact that the appeal is provided under the act, the Writ Petition is not maintainable before this Court. However, the petitioner is at liberty to file an appeal before the Registrar of the Co-operative Society, within a period of two weeks from the date of receipt of a copy of this order. On filing of such appeal, the Registrar of the Co-operative Society is directed to condone the delay in filing the revision, in view of the pendency of the Writ Petition before this Court. The Registry is directed to return the original impugned order filed by the petitioner.

4. With the above direction and observation, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Joint Registrar of Cooperative Societies,
Sivagangai District,
Sivagangai.

2. The Deputy Registrar of Cooperative Societies,
Sivagangai District,
Sivagangai.

+1cc to Mr. RR. KANNAN, Advocate, SR. 41609

+1cc to Mr. D. SADIQ RAJA, Advocate, SR. 42044

W.P (MD) No. 21765 of 2017

10.01.2018

MYR

KK/SV MMS/SAR 4/25.01.2018/ 2P- 5C/