

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.3359 of 2019
and
C.M.P.No.21569 of 2019

S.Paulraj,
29, Kommangipuram,
Sangrapandi Post,
Venbakkaottai Tk.,
Virudunagar Dt 626201.

... Appellant

Vs

1.The Deputy Registrar of Co-op Societies,
Office of the Dy. Registrar of Co-op Societies,
Attur Circle, Attur, Salem Dt.

2.S.672, The Attur Agriculture Producers
Co-op Marketing Society,
Attur, Salem Dt by its President.

3.K.Pramasivam,
The Deputy Registrar of Co-operative
Societies Attur Circle, Attur
cum Managing Director of
S.672 The Attur Agriculture
Producers Co-op Marketing Society,
Attur, Salem Dt.

4.P.Kathirvel,
Former Secretary, S.672, The Attur Agriculture
Producers Co-op Marketing Society,
Attur, 208, Mittapudur, Behind Ganga
Kaverei Gas Godown Convent Road, Salem 16.

5.L.Thirupathi,
Former Manager, S.672, The Attur Agriculture
Producers Co-op Marketing Society,
Attur, 3/76, Akkichetti Palayam,
Palaniyapuri Post, Attur Tk, Salem Dt.

6.P.Kumar,
Former Assistant Secretary,
S.672 The Attur Agriculture
Producers Co-op Marketing Society,
Attur, 94-25, Palanivel Chetty Street,
Bazar Road, Jalakandapuram Post,
Mettur Tk, Salem Dt.

7.K.Selvaraj,
Now Manager (Sales),
S.672 The Attur Agriculture Producers
Co-op Marketing Society,
Attur, Salem Dt.

8.P.Mathiyalagan,
Now Godown Superintendent,
S.672 The Attur Agriculture
Producers Co-op Marketing Society,
Attur, Salem Dt. ... Respondents

PRAYER : Appeal against the order of this Court dated
28.08.2019 made in W.P.No.24673 of 2019 passed by this Court.

Prayer in W.P.No.24673 of 2019:Writ Petition is filed under
Article 226 of the Constitution of India, to issue Writ of
Certiorari to call for the records relating to the surcharge
order Na Ka/ 3697/ 2004 Sa Pa dated 26.6.2019 of the 1st
respondent made under section 87 of the Tamil Nadu Coop
Societies Act 1983 quash the same so far the petitioner in
concerned and pass orders.

For Appellant :Mr.S.Venkataraman

For Respondents:Mr.L.P.Shanmugasundaram (for R1 & R2)
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

After arguing the matter for some time, the learned
counsel appearing for the appellant seeks leave of this Court
to withdraw this appeal. He has also made an endorsement to
that effect.

2.In view of the representation made by the learned
counsel appearing for the appellant and endorsement made by
him, this Appeal is dismissed as withdrawn without any
liberty. However, as per the learned single Judge's order the
party is at liberty to approach the appellate authority. As
rightly observed by the learned single Judge in paragraph 10

of the order made in the Writ Petition No.24673 of 2019 dated 22.08.2019, the appellate authority shall not get influenced by the observations made by the learned single Judge. It goes without saying that it is open to the appellant to raise all the grounds which are legal in nature. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Registrar of Co-op Societies,
Office of the Deputy Registrar of Co-op Societies,
Attur Circle, Attur, Salem Dt.

2.The Attur Agriculture Producers
Co-op Marketing SocietyS.672, ,
Attur, Salem District.

+1cc to Mr.S.Venkataraman, Advocate Sr.84893

+1cc to Mr.L.P.Shanmugasundaram, Advocate Sr.85771

+1cc to the Special Government Pleader Sr.85749

W.A.No.3359 of 2019

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srg 15/11/2019

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