

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :31.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.30656 of 2019

and

W.M.P.Nos.30735 and 30736 of 2019

Moses Rathinam Pillai,  
Cooperative Sub Registrar (PD)/  
Superintendent,  
Office of the Deputy Registrar(PD),  
Tirupur. .. Petitioner

/versus/

- 1.The Joint Registrar of Cooperative Societies,  
Tirupur, Tirupur District.
- 2.The Deputy Registrar of Cooperative Societies,  
The Office of the Deputy Registrar of Cooperative Societies,  
Dharapuram, Tirupur District.
- 3.The Sub Registrar of Cooperative Societies/  
Field Officer(Inspection Cell),  
Udumalpet, Tirupur District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the order passed by the 2<sup>nd</sup> respondent herein under Section 87 of Tamil Nadu Cooperative Societies Act, 1983 in Na.Ka.No.1169/2013/S.R., dated 15.05.2015 and quash the same in so far as the petitioner is concerned.

For Petitioner :Mr.Venkataswamy Babu

For Respondents:Mr.R.Balaramesh, Spl.G.P.

For R1 to R3

O R D E R

This Writ Petition has been filed to issue a Writ of Certiorari to call for the records relating to the order passed by the 2<sup>nd</sup> respondent herein under Section 87 of Tamil Nadu Cooperative Societies Act, 1983 in Na.Ka.No.1169/2013/S.R., dated 15.05.2015 and quash the same in so far as the petitioner is concerned.

2.The petitioner herein while serving as Sub Registrar/Superintendent at Tirupur was proceeded under Section 87 of the Tamil Nadu Cooperative Societies Act, 1983 for shortage of stock and holding expired medicines causing loss to the Co-operative Society. The surcharge proceedings got completed and the petitioner along with others were found guilty of causing loss to the Society a total sum of Rs.7,28,944.87 and an order was passed on 15.05.2015. The petitioner herein is challenging the said proceedings after four years raising several grounds.

3.This writ petition is not maintainable since there is appeal remedy under Section 152 of the Tamil Nadu Cooperative Societies Act, 1983. Further, the challenge to the order passed after lapse of four years hence, suffers delay and laches. Therefore, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

ari

To:

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

2.The Deputy Registrar of Cooperative Societies,  
The Office of the Deputy Registrar of Cooperative Societies,  
Dharapuram, Tirupur District.

3.The Sub Registrar of Cooperative Societies/  
Field Officer(Inspection Cell),  
Udumalpet, Tirupur District.

+1cc to Mr.D.Anand Raja, Advocate, S.R.No. 90966

W.P.No.30656 of 2019

GN(25/11/2019)