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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Seventeenth day of December Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE P.D.AUDIKESAVALU

WP Nos.33138, 33143, 33148, 33151,33156 33141, 33150, 33154, 33155, 33158, 33160 33201, 33205, 33212, 33214,33217, 33191, 33193, 33199, 33203, 33207, 33210, 32976, 32982, 32986, 32997, 33000 and 33003 of 2019

and WMP Nos.33568, 33573, 33577, 33581,33589 33574, 33579, 33584, 33590, 33594,33596, 33656, 33663, 33670, 33672 ,33674 33643, 33651, 33653, 33658, 33664, 33666, 33415, 33419, 33424, 33428, 33431, 33433 of 2019

THE TAMIL NADU SECRETARIAT STAFF CO.OPERATIVE HOUSING SOCIETY LTD., REP.BY T.ULAGANATHAN, PRESIDENT, HAVING OFFICE AT PLOT NO.105, SECRETARIAT COLONY, OKKIYAM THORAIPAKKAM, CHENNAI-600 097. [PETITIONER IN ALL THE PETITIONS]

Vs

1 THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES, NO.18, RAMANATHAN STREET, T.NAGAR, CHENNAI 600 017. [1ST RESPONDENT IN ALL THE PETITIONS]

2 V.RAJESWARI [2ND RESPONDENT IN WP.33138/19 & WMP.33568/19]

Y.STEPHEN [2ND RESPONDENT IN WP.33143/19 & WMP.33573/19]

K.RAMESH [2ND RESPONDENT IN WP.33148/19 & WMP.33577/19]

D.KIRTHIRAJ [2ND RESPONDENT IN WP.33151/19 & WMP.33581/19]

N.BASHEER AHMED [2ND RESPONDENT IN WP.33156/19 & WMP.33589/19]

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2 A.DURAI [2ND RESPONDENT IN WP.33141/19 & WMP.33574/19]

JENIFER DIVYA [2ND RESPONDENT IN WP.33150/19 & WMP.33579/19]

JULIAN JOSEPH CROSS [2ND RESPONDENT IN WP.33154/19 & WMP.33584/19]

BABY NAAZ SEBASTIAN [2ND RESPONDENT IN WP.33155/19 & WMP.33590/19]

F.EZHUMPARITHI AROKIADOSS [2ND RESPONDENT IN WP.33158/19 & WMP.33594/19]

CHANDRA BALU [2ND RESPONDENT IN WP.33160/19 & WMP.33596/19]

2 R.SRIDHAR [2ND RESPONDENT IN WP.33201/19 & WMP.33656/19]

K.SIVAKUMARI [2ND RESPONDENT IN WP.33205/19 & WMP.33663/19]

J.SELVAM ABISHEKANATHAN [2ND RESPONDENT IN WP.33212/19 & WMP.33670/19]

D.PRIYAMALINI [2ND RESPONDENT IN WP.33214/19 & WMP.33672/19]

E.ANANDAN [2ND RESPONDENT IN WP.33217/19 & WMP.33674/19]

2 B.SENTHILKUMAR [2ND RESPONDENT IN WP.33191/19 & WMP.33643/19]

A.THILAGAM [2ND RESPONDENT IN WP.33193/19 & WMP.33651/19]

V.KANNADASAN [2ND RESPONDENT IN WP.33199/19 & WMP.33653/19]

R.ARUMUGAM [2ND RESPONDENT IN WP.33203/19 & WMP.33658/19]

S.KAVITHA [2ND RESPONDENT IN WP.33207/19 & WMP.33664/19]

D.VINOTHAMANI [2ND RESPONDENT IN WP.33210/19 & WMP.33666/19]

2 S.YESUPATHAM ... 2ND RESPONDENTS in WP No.32976 of 2019

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2 R.RENUKADEVI. ... 2ND RESPONDENT in WP No.32982 of 2019

2 S.N.PANDIAN ... 2ND RESPONDENT in WP No.32986 of 2019

2 R.UMAPATHY ... 2ND RESPONDENT in WP No.32997 of 2019

2 B.NIKILA ... 2ND RESPONDENTS in WP No.33000 of 2019

2 A.JALALUDEEN ... 2ND RESPONDENTS in WP No.33003 of 2019

Writ Petitions filed under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

1. WP No.33138 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.81/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

2. WP No.33143 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.84/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

3. WP No.33148 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.80/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

4. WP No.33151 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.82/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

5. WP No.33156 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.83/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

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6. WP No.33141 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.75/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

7. WP No.33150 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.66/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

8. WP No.33154 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.65/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

9. WP No.33155 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.78/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

10. WP No.33158 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.59/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

11. WP No.33160 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the order dated 25/09/2019 in CMA No.67/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

12. WP No.33201 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.70 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

13. WP No.33205 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.71 of 2018 on the file of Chief Judge, Court Small Causes Chennai and

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quash the same

14. WP No.33212 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.72 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

15. WP No.33214 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.74 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

16. WP No.33217 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.76 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

17 WP No.33191 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.79 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

18 WP No.33193 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.61 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

19 WP No.33199 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.69 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

20 WP No.33203 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.77 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

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21 WP No.33207 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.60 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

22 WP No.33210 of 2019
issue a writ of certiorari or any other appropriate writ, order or direction particularly in the nature of writ of certiorari Calling for the records relating to the Order dated 25.9.2019 in CMA No.73 of 2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same

(23) WP No.32976 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.57/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

(24)WP No.32982 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.62/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

(25)WP No.32986 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.63/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

(26)WP No.32997 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.64/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

(27)WP No.33000 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.68/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

(28)WP No.33003 of 2019
Calling for the records relating to the order dated 25/09/2019 in CMA No.85/2018 on the file of Chief Judge, Court Small Causes Chennai and quash the same.

1 WMP No.33568 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.81/2018 on the file of Chief Judge, Court Small Causes Chennai pending disposal of the above writ petition

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2 WMP No.33573 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.84/2018 on the file of Chief Judge, Court Small Causes Chennai pending disposal of the above writ petition

3 WMP No.33577 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.80/2018 on the file of Chief Judge, Court Small Causes Chennai pending disposal of the above writ petition

4 WMP No.33581 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.82/2018 on the file of Chief Judge, Court Small Causes Chennai pending disposal of the above writ petition

5WMP No.33589 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.83/2018 on the file of Chief Judge, Court Small Causes Chennai pending disposal of the above writ petition

6. WMP No.33574 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.75/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

7. WMP No.33579 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.66/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

8. WMP No.33584 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.65/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

9. WMP No.33590 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.78/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

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10. WMP No.33594 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.59/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

11. WMP No.33596 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.67/2018 on the file of Chief Judge, Court Small Causes pending disposal of the above writ petition.

12. WMP No.33656 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.70 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

13. WMP No.33663 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.71 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

14. WMP No.33670 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.72 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

15. WMP No.33672 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.74 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

16. WMP No.33674 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.76 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

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17 WMP No.33643 of 2019

To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.79 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

18 WMP No.33651 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.61 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

19 WMP No.33653 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.69 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

20 WMP No.33658 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.77 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

21 WMP No.33664 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.60 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

22 WMP No.33666 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25.9.2019 in CMA No.73 of 2018 on the file of Chief Judge, Court Small Causes Chennai therein pending disposal of the above writ petition

(23)WMP No.33415 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.57/2018 on the file of Chief Judge, Court Small Causes Chennai therein

(24)WMP No.33419 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.62/2018 on the file of Chief Judge, Court Small Causes Chennai therein

(25)WMP No.33424 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.63/2018 on the file of Chief Judge, Court Small Causes Chennai therein

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(26)WMP No.33428 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.64/2018 on the file of Chief Judge, Court Small Causes Chennai therein

(27)WMP No.33431 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.68/2018 on the file of Chief Judge, Court Small Causes Chennai therein

(28)WMP No.33433 of 2019
To grant interim stay of all further proceedings pursuant to the order dated 25/09/2019 in CMA No.85/2018 on the file of Chief Judge, Court Small Causes Chennai therein respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.AL.GANTHIMATHI, Advocate for the petitioner in all the petitions the court made the following order:-

The orders challenged in these batch of Writ Petitions have been passed by the Chief Judge, Court of Small Causes, Chennai as Co-operative Tribunal under Section 152 of the Tamil Nadu Co-operative Societies Act, 1983. The Hon'ble Supreme Court of India in Life Insurance Corporation of India vs. Nandhini J. Shah [(2018) 15 SCC 356] has held that judicial order of Civil Court is not amenable to Writ of Certiorari under Article 226 of the Constitution of India, but the same could be impeached in proceedings under Article 227 of the Constitution of India before the jurisdictional High Court.

2. In view of the aforesaid legal position, Registry is directed to de-register these Writ Petitions and return the papers to the Learned Counsel for the Petitioners so as to enable them to re-submit the same as Civil Revision Petitions under Article 227 of the Constitution of India with necessary requirements as per the rules within a period of 15 days from the date of collecting papers from the Registry.

3. The interim order of status quo granted by this Court on 27.11.2019 shall continue to be in force for a period of 30 days from the date on which the papers are returned to the Learned Counsel for the Petitioners by the Registry.

-sd/-
17/12/2019
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Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

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TO
1 THE DEPUTY REGISTRAR OF CO-OPERATIVE
SOCIETIES, NO.18, RAMANATHAN
STREET, T.NAGAR, CHENNAI 600 017.

2 THE CHIEF JUDGE,
COURT OF SMALL CAUSES, CHENNAI

C.C. to M/S.AL.GANTHIMATHI Advocate on payment of necessary charges

Order
in
WP Nos.33138, 33143, 33148, 33151,33156 33141, 33150, 33154, 33155, 33158, 33160 33201, 33205, 33212, 33214,33217, 33191, 33193, 33199, 33203, 33207, 33210, 32976, 32982, 32986, 32997, 33000 and 33003 of 2019

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Date :17/12/2019

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