



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) Nos.1131, 1132 and 1133 of 2019

and

W.M.P (MD) .Nos.953, 954, 955, 6591, 6592 and 6593 of 2019

W.P. (MD) No.1131 of 2019

Tamil Nadu State Transport
Corporation (Madurai Division-I)
Madurai Employees Co-operative
Thrift & Credit Society Ltd.,
rep., by its Managing Director,
94/4B, Pattukottai Kalyanasundaram Street,
By Pass Road, Madurai-625 010. ... Petitioner

Vs

1.The Deputy Registrar of Cooperative Societies,
No.40-41, Krishna Rao Tank Street,
(Old RDCC Bank Buildings),
Madurai-01.

2.P.Moovendran ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the Principal District Court, Madurai (Co-operative Tribunal) in C.M.A(C.S) No.12/2015 dated 28.06.2018 and quash the same and consequently direct the second respondent to pay the decree amount to the petitioner Society with the interest at the rate of 18% till the realization in accordance with the order passed by the first respondent vide Na.Ka.No.923/2012 sa pa dated 13.05.2014.

W.P (MD) .No.1132 of 2019

Tamil Nadu State Transport
Corporation (Madurai Division-I)
Madurai Employees Co-operative
Thrift & Credit Society Ltd.,
rep., by its Managing Director,
94/4B, Pattukottai Kalyanasundaram Street,
By Pass Road, Madurai-625 010. ... Petitioner

Vs



(Old RDCC Bank Buildings),
Madurai-01.

2.P.Moovendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the Principal District Court, Madurai (Co-operative Tribunal) in C.M.A(C.S) No.13/2015 dated 28.06.2018 and quash the same and consequently direct the second respondent to pay the decree amount to the petitioner Society with the interest at the rate of 18% till the realization in accordance with the order passed by the first respondent vide Tha.Thi.Va.No.02/13-14 sa.pa dated 16.07.2014.

W.P(MD).No.1133 of 2019

Tamil Nadu State Transport
Corporation (Madurai Division-I)
Madurai Employees Co-operative
Thrift & Credit Society Ltd.,
rep., by its Managing Director,
94/4B, Pattukottai Kalyanasundaram Street,
By Pass Road, Madurai-625 010.

... Petitioner

Vs

1.The Deputy Registrar of Cooperative Societies,
No.40-41, Krishna Rao Tank Street,
(Old RDCC Bank Buildings),
Madurai-01.

2.P.Moovendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the Principal District Court, Madurai (Co-operative Tribunal) in C.M.A(C.S) No.34/2015 dated 28.06.2018 and quash the same.

In all petitions

For Petitioner : Mr.D.Shanmugarajasethupathi

For R1 : Mr.K.Mu.Muthu
Additional Government Pleader

For R2 : Mr.D.Sadiq Raja

**COMMON ORDER**

Vide order dated 11.10.2018 in C.R.P(MD).No.609 of 2017 I have held that an order passed by the Co-operative Tribunal disposing of an appeal arising out of surcharge proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act will be exclusively amenable to revisional jurisdiction under Article 227 of the Constitution of India and that writ petition under Article 226 of the Constitution of India will not be maintainable.

2. These Writ petitions are dismissed as not maintainable. The writ petitioner is at liberty to file a Civil Revision Petition. Therefore, the Registry to return the original orders to the petitioner's counsel. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS I)

TO:

The Deputy Registrar of Cooperative Societies,
No.40-41, Krishna Rao Tank Street,
(Old RDCC Bank Buildings),
Madurai-01.

Copy To:

The Section Officer,
ER Section, (WRIT)
Madurai Bench of Madras High Court,
Madurai. **(for Return the Original orders to the Counsel for the
Petitioner)**

**1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-62343[F] dated
24/04/2019)**

W.P. (MD) Nos.1131, 1132 and 1133 of 2019

DS/ /SAR- (24.04.2019) 3P 4C