



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos.9405 & 9406 of 2019

&

W.M.P. (MD) .Nos.7415 & 7416 of 2019

Nagarajan

... Petitioner in both Petitions

-VS-

1.The Deputy Registrar,
Co-operative Societies,
Palani, Dindigul District.

2.The Secretary,
A-1609, Kodaikanal Primary Agricultural
Co-operative Credit Society,
Kamarajar Salai, Kodaikanal,
Kodaikanal Taluk, Dindigul District.

... Respondents in both Petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the notice issued by the first respondent in his proceedings in Na.ka.No.2252 / 2017 Saba (1) and Saba.(2), dated 03.04.2019 and quash the same with regard to the petitioner's concerned as illegal and arbitrary and consequently direct the first respondent do not harass to the petitioner.

For Petitioner : Mr.G.Gomathi Sankar

For R-1 : Mr.K.Karuppasamy
Government Advocate

For R-2 : Mr.A.Thiyagarajan
(Both Writ Petitions)

COMMON ORDER

Heard the learned counsel on either side.

2. By consent of both parties, the main Writ Petitions themselves are taken up for final disposal at the stage of admission.
<https://hcservices.mca.gov.in/hcservices/>



3. What is under challenge in these Writ Petitions are only a notice issued under Section 87 (1) of the Tamil Nadu Co-operative Societies Act, 1983, calling upon the petitioner to offer his explanation. No orders have been passed. The petitioner's rights have not been infringed at all.

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4. The learned counsel appearing for the petitioner would submit that there is no misappropriation at all and that therefore, there is no justification in issuing the impugned notice.

5. I am of the view that the petitioner can very well make these submissions before the first respondent. The first respondent has the jurisdiction to issue the impugned notice. Therefore, leaving open all the defences of the writ petitioner, these Writ Petitions stand dismissed.

6. The petitioner's counsel states that he would respond to the impugned notice within a period of four weeks from the date of receipt of a copy of this order.

7. Therefore, the first respondent shall conclude the entire proceedings and pass final orders within a period of three months thereafter. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS)

tsg

To

The Deputy Registrar,
Co-operative Societies,
Palani, Dindigul District.

+2 CC to M/s.G.GOMATHI SANKAR, Advocate
(SR-61366, 61367[F] dated 16/04/2019)

+1 CC to M/s.SPL GP (SR-61603[F] dated 22/04/2019)

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