

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.Nos.5289 of 2007 and 13617 of 2010
and
M.P.Nos.1 of 2007 and 1 of 2010

G.Ramanujam

..Petitioner

-Vs-

1. The Deputy Registrar of Cooperative Societies
Ponneri Circle,
Near L.I.C. Office, Ponneri,
Thiruvallur District.
2. The Co-operative Sub-Registrar/Field Officer,
Sec.87 Inquiry Officer,
Gummidipondi, Ponneri Taluk,
Thiruvallur District.
3. The Gummidipondi Primary Agricultural Co-operative
Rural Development Bank,
rep. by its Special Officer,
Gummidipondi Post,
Ponneri Taluk, Thiruvallur District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned proceedings Na.Ka.No.1095/06 Sa.Pa.1 (2) dated 30.06.2006 passed by the second respondent and served on the petitioner through the 3rd respondent on 19.07.2006 and quash the same.

For Petitioner	: Mr. K.Premkumar
For Respondents	: Mr.L.P.Shanmugasundaram
	Special Government Pleader

O R D E R

This Writ Petition has been filed challenging the proceedings in Na.Ka.No.1095/06 Sa.Pa.1 (2) dated 30.06.2006 passed by the second respondent and served on the petitioner through the 3rd respondent on 19.07.2006 and quash the same.

2. The learned counsel for the petitioner would submit that the second respondent has passed the impugned proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 without furnishing the copy of the inspection report under Section 82 of the said Act to the petitioner. It is further submitted that the second respondent has no jurisdiction to pass the impugned proceedings.

3. The learned Special Government Pleader appearing for the respondents would submit that against the order passed under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983, the petitioner has to file an appeal before the Co-operative Tribunal and without doing so, the petitioner has approached this Court by way of this Writ petition and therefore the Writ petition is not maintainable and liable to be dismissed.

4. Heard both sides. Perused the records.

5. Considering the facts and circumstances of the case and also considering the submissions made, this Court finds that the petitioner has to file an appeal before the Co-operative Tribunal, but without doing so, the petitioner has straight away approached this Court by way of this Writ Petition. It is further stated that earlier the petitioner has not appeared before the officer.

6. In such circumstances, this Court finds that this Writ Petition is not maintainable and therefore the same is liable to be dismissed and accordingly this Writ Petition is dismissed. No costs. However, the petitioner is at liberty to approach the Co-operative Tribunal, challenging the impugned order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Registrar of Cooperative Societies
Ponneri Circle,
Near L.I.C. Office, Ponneri,
Thiruvallur District.
2. The Co-operative Sub-Registrar/Field Officer,
Sec.87 Inquiry Officer,
Gummidipondi, Ponneri Taluk,
Thiruvallur District.

3. The Gummidipondi Primary Agricultural Co-operative Rural Development Bank,
rep. by its Special Officer,
Gummidipondi Post,
Ponneri Taluk, Thiruvallur District.
4. The Joint Registrar of Cooperative Societies,
Thiruvallur Region, Thiruvallur,
Thiruvallur.

+1cc to the Government Pleader in SR.NO..33511

W.P.No.5289 of 2007

AJS (CO)
RV(03/11/2020)