

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WP No.12465 of 2020

Seralathan

...Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Krishnagiri,
Krishnagiri District.
2. The Sale Officer / Co-operative Sub Registrar,
Office of the Deputy Registrar of Co-op. Societies,
Krishnagiri,
Krishnagiri District.
3. The President,
D.K.78, Anjur Primary Agricultural Co-operative Bank,
Anjur Post,
Krishnagiri Taluk,
Krishnagiri District.
4. The Sub Registrar of Burgur,
Registration Department,
231, Textile Market Back side,
Burgur, Krishnagiri District.

...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 05.08.2020 by raising the attachment order made by the respondent on 26.02.2015.

For Petitioner : Mr.S.Sairaman

For Respondent : Mr.Balaramesh
Standing Counsel for R1 to R3

Mr.T.M.Pappiah,
Special Government Pleader for R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to consider the representation made by the petitioner on 05.08.2020, wherein the petitioner has requested the 1st respondent to remove the entry regarding attachment, which was made on 26.02.2015.

2. The case of the petitioner is that he was elected as the Director of the 3rd respondent society. The enquiry was ordered under Section 80(1) of the Co-operative Societies Act and surcharge proceedings were initiated and an order was also passed on 23.06.2008. An order of attachment came to be passed and thereby, an entry was made in the records. This attachment order was made against the property belonging to the wife of the petitioner.

3. The petitioner filed an appeal before the Co-operative Tribunal and the Appeal was allowed and the award was set aside by an order dated 17.10.2019. The petitioner thereafter approached the 1st respondent and requested for removal/raising of the attachment of the property. A representation was also made to the 1st respondent. Since it was not considered, the present writ petition has been filed before this Court.

4. Heard the learned counsel for the petitioner and Mr.Bala Ramesh, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.T.M.Pappiah, learned Special Government Pleader for 4th respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to act upon the representation made by the petitioner on 05.08.2020 and pass appropriate orders strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with copy of the representation dated 05.08.2020 and also all the other relevant documents and a copy of this order.

This writ petition is disposed of with the above directions.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka

To

1. The Deputy Registrar of Co-operative Societies,
Krishnagiri,
Krishnagiri District.
2. The Sale Officer / Co-operative Sub Registrar,
Office of the Deputy Registrar of Co-op. Societies,
Krishnagiri,
Krishnagiri District.
3. The President,
D.K.78, Anjur Primary Agricultural Co-operative Bank,
Anjur Post,
Krishnagiri Taluk,
Krishnagiri District.
4. The Sub Registrar of Burgur,
Registration Department,
231, Textile Market Back side,
Burgur, Krishnagiri District.

+1cc to Mr.S.Sairaman, Advocate, SR.No.29754/20

+1cc to The Government Pleader, SR.No.29901/20

WP No.12465 of 2020

GP(CO)
RN(23/10/2020)

सत्यमेव जयते

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