



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12789/2020 WMP.Nos.15801 and 15803/2020

1.D.Sundaravadivelu
2.N.Ramesh
3.G.Dhandavamoorthy
4.K.Kothandaraman
5.E.Loganathan
6.A.Gopal

.. Petitioners

Versus

1.The Deputy Registrar of Cooperative
Societies, Chengalpattu Circle,
Chengalpattu.

2.The Administrator
Illalur Primary Agricultural Cooperative
Illalur, Chengalpattu District.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records of the 1st respondent in Pro.Na.Ka.No.3047/2019/A3 dated 23.03.2020, to quash the same insofar as it relates to the pet\ and to issue consequential directions to the 1st respondent to release the properties from attachment.

For Petitioners: Mr.M.Ravi Bharathi

For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader [Coop]

ORDER

(1)The subject matter of challenge in the present writ petition is the Order of Attachment passed by the 1st respondent vide proceedings dated 23.03.2020 in exercise of his powers under Section 167[2] of the Tamil Nadu Cooperative Societies Act, 1983.

(2)Heard the learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepting notice on behalf of the respondents.



(3) In the considered view of this Court, the petitioners have an effective alternative remedy under Section 152 of the Tamil Nadu Cooperative Societies Act, 1983 and without exhausting this remedy, this writ petition has been straight away filed before this Court.

(4) This Court is not inclined to entertain this writ petition in view of the availability of an alternative remedy. Hence, liberty is given to the petitioners to work out their remedy as provided under the Tamil Nadu Cooperative Societies Act, 1983. The petitioners shall file a petition before the Tribunal under Section 152 of the Cooperative Societies Act, within a period of two weeks from the date of receipt of a copy of this order. On such filing of the petition, the Tribunal shall proceed to entertain the petition and deal with the same strictly in accordance with law.

(5) The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Deputy Registrar of Cooperative Societies, Chengalpattu Circle, Chengalpattu.

2. The Administrator
Illalur Primary Agricultural Cooperative,
Illalur, Chengalpattu District.

3. The Section Officer,
E.R. Section, High Court,
Madras.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.31431

+1cc to the Government Pleader(Co.Op), S.R.No. 31679

WP.No.12789/2020

MP(CO)
GN(09/10/2020)