



WEB COPY

C.R.P(NPD)(MD)No.1891 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (NPD) (MD)No.1891 of 2012

and

M.P. (MD)No.1 of 2012

1.M.Santhiagu Joseph

2.M.Navaneetha Krishnan

3.M.Prakash

4.V.Leelavathy

: Petitioners/Appellants 1,2,4 & 5/
Respondents 2,4,5 & 7

.. Vs ..

1.The Deputy Registrar,
Cooperative Societies,
Deputy Registrar Office,
Bryant Nagar 3rd Street,
Thoothukudi

: 1st Respondent/1st Respondent/Plaintiff

2.N.Murugan

3.S.Mariappan

4.K.Saroja

5.C.Karuvelamuthu

6.N.Ganesan

: Respondents 2 to 6/Respondents 2-6/
Respondents 1,6,8,10 & 11

7.S.Serma Ponraj

8.P.Sivakumar

: Respondents 7 & 8/Appellants 2 & 6/
Respondents 3 & 9

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the decree and judgment passed in C.M.A.(CS) No.2 of 2009, dated 22.03.2012, on the file of the Principal District Judge, Thoothukudi, confirming the orders passed in Tha.Va.No.2 of 2008, dated 09.09.2008, on the file of the Deputy Registrar, Cooperative Societies, Thoothukudi.

For Petitioner

: Mr.K.R.Laxman

For Respondent 1

: Mr.D.Muruganandam

Additional Government Pleader

For Respondents 2 - 7

: No appearance

Respondent 8

- Dismissed for default vide
order dated 24.08.2015.

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ORDER

Out of seven charges framed against the petitioners in this Civil Revision Petition, it is admitted that four charges are proved and three charges are dropped. The charges against the petitioners which are proved are relating to causing loss to the society by negligence and by certain irregularities committed by the petitioners, who were in the helm of office in the Primary Agricultural Cooperative Society, Eral, during their term. The Deputy Registrar of Cooperative Societies initiated surcharge proceedings and found that the petitioners are guilty of charges causing loss to the society. The Deputy Registrar has given a specific finding that the charges, which were held as proved, are supported by documents and reasonings. The petitioners preferred an appeal before the Principal District Court, Thoothukudi, in C.M.A. (CS) No.2 of 2009. The said appeal was also dismissed holding that the revision petitioners alone are to be held liable for the misappropriation or irregularities committed by them. The Tribunal also found that the Deputy Registrar of Cooperative Societies has properly conducted enquiry.

2.Having regard to the admitted facts and the materials produced before the first respondent and before this Court, this Court is unable to take a different view than that was taken by the Tribunal in C.M.A.(CS) No.2 of 2009. The findings of the Tribunal are supported by documents and materials. The learned Counsel appearing for the petitioners is unable to point out any serious error or irregularity either in appreciation of facts or events or in the conclusions or in the decision making process, particularly, the reasonings while dismissing the appeal. This Court need not re-appreciate the whole evidence to find out whether there is any possibility of an alternative. The findings of the Tribunal is not demonstrated to be false, incorrect or erroneous with reference to materials on facts. In such circumstances, this Court has no reason to interfere with the order of the learned Principal District Judge, Thoothukudi. Hence, this Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The Principal District Judge,
Thoothukudi.

2.The Deputy Registrar,
Cooperative Societies,
Deputy Registrar Office,
Bryant Nagar 3rd Street,
Thoothukudi.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-11272[F] dated 12/03/2020)

+1 CC to M/s.SPL.GP (SR-11341[F] dated 12/03/2020)

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PU(07/05/2020) 3P 5C