



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.2129 of 2020

WEB COPY

A.Arulselvi

... Petitioner

Vs.

The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Tenkasi,
Tirunelveli District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondent to consider the objection and Claim Petition filed by the Petitioner under Section 135 of the Tamil Nadu Cooperative Societies Act, 1988 by giving opportunity to the Petitioner and on merits and in accordance with law within the time frame fixed by this Court.

For Petitioner : Mr.K.R.Laxman
For Respondent : Mr.M.Pandiarajan
Addl.Govt.Pleader

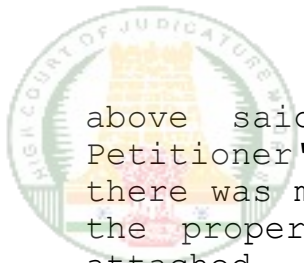
ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to consider the objection and Claim Petition filed by the Petitioner under Section 135 of the Tamil Nadu Cooperative Societies Act, 1988 by giving opportunity to the Petitioner and on merits and in accordance with law within the time frame fixed by this Court.

2.Mr.M.Pandiarajan, learned Additional Government Pleader takes notice for the respondent.

3.By consent of parties, the main Writ Petition is taken up for final disposal.

4.The case of the Petitioner is that the Petitioner is the wife of one Arunagiri and the said Arunagiri employed as Secretary from 1.4.2010 in 0.1902 Alangulam Primary Agricultural Cooperative Credit Society, Alangulam, Tirunelveli District and permitted to retire from service on 31.1.2015, on attaining the age of superannuation. While-so, surcharge proceeding was initiated against the Petitioner's husband, after his retirement, for certain misappropriations and irregularities found in the accounts of the



above said society. The main allegation is that while the Petitioner's husband was in service as Secretary during 2014-2015, there was misappropriation to the tune of Rs.17, 85, 809/- and hence the property of the Petitioner worth about Rs.5 lakhs has been attached by the authorities concerned for the said misappropriation. The said attachment order dated 10.8.2018 in Proceedings No.C.E.P No.1/2018-2-2019(1) was challenged by filing an objection and Claim Petition before the first respondent by way of an application, dated 12.3.2019. The same is said to be still pending. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Therefore, without expressing any opinion on the merits of the claim made by the petitioner, the respondent is directed to consider the representation/application of the petitioner, dated 12.03.2019 and pass appropriate orders on the same, on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

To

The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Tenkasi,
Tirunelveli District.

+1 CC to Mr.K.R.LAXMAN, Advocate (SR-4615[F] dated 04/02/2020)

ORDER MADE IN
W.P(MD)NO.2129 OF 2020
04.02.2020

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