



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2020

WEB COPY

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No. 7088 of 2020
and W.M.P. (MD) No. 6525 of 2020

(Through Video conferencing)

A.Jeyamani

...Petitioner

-Vs-

The Circle Deputy Registrar of Co-operative
Societies (Suo motu Surcharge Officer)
O/o Circle Deputy Registrar of Co-operative
Societies, Vadugapatti Road,
Periyakulam, Theni District.

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent to permit the petitioner to engage an Advocate to defend the surcharge proceedings initiated against the petitioner in Surcharge No.1/2019-20/SaPa(1) pending on the file of the respondent..

For Petitioner : Mr.R.Saravanan

For Respondent : Mr.M.Karuppasamy,
Government Advocate.

ORDER

The prayer sought for in this writ petition is to issue a writ of Mandamus, directing the respondent to permit the petitioner to engage an Advocate to defend the surcharge proceedings initiated against the petitioner in Surcharge No.1/2019-20/SaPa(1) pending on the file of the respondent.

2. Heard Mr.R.Saravanan, learned counsel appearing for the petitioner and Mr.M.Karuppasamy, learned Government Advocate
<https://hcservices.ecourts.gov.in/hcservices/>



appearing for the respondent.

3. The learned counsel appearing for the petitioner submits that a surcharge proceedings has been initiated against the petitioner and in order to meet the surcharge proceedings, he requires a legal person i.e., a lawyer. Therefore, he seeks permission from the respondent to engage a lawyer to appear for surcharge proceedings and in this regard, he has given a representation/request on 05.06.2020 to the respondent. Therefore, if such a representation is directed to be considered by the respondent on merits and in accordance with law within the time frame stipulated by this Court, the petitioner will be satisfied.

4. The learned Government Advocate appearing for the respondent submits that the said request of the petitioner would be considered on merits within the time frame stipulated by this Court.

5. Considering the submissions made by both sides, this Court is inclined to pass the following order:

"that the respondent is hereby directed to consider the representation of the petitioner dated 05.06.2020 and pass orders thereon on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order."

6. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

The Circle Deputy Registrar of Co-operative
Societies (Suo motu Surcharge Officer)
O/o Circle Deputy Registrar of Co-operative
Societies, Vadugapatti Road,
Periyakulam, Theni District.

Order made in
W.P. (MD) No. 7088 of 2020

07.07.2020

SPU(14.07.2020) 3P 2C