



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.15499 of 2020

and W.M.P. (MD).No.13013 of 2020

WEB COPY

S.Srinivasan

... Petitioner

Vs

The Deputy Registrar of Co-operative Societies,
Sivagangai Region, Kanjerangal
Opposite to Government Women's College,
Sivagangai, Sivagangai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 13.10.2020 and bring the Section 82 Inspection Officer who gave the basic report, as witness in the surcharge proceedings in No.4/19-20 before him and allow the petitioner to cross examine that witness.

For Petitioner : Mr.T.Ravichandran

For Respondent : Mrs.M.Rajeswari
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 13.10.2020 and bring the Section 82 Inspection Officer who gave the basic report, as witness in the surcharge proceedings in No.4/19-20 before him and allow the petitioner to cross examine that witness

2.Heard Mr.T.Ravichandran, learned counsel appearing for the petitioner and Mrs.M.Rajeswari, learned Government Advocate, appearing for the respondent.

3.Mrs.M.Rajeswari, learned Government Advocate, who accepts notice on behalf of the respondent, on instructions would submit that final orders have been passed under Section 87 of the Tamilnadu Co-operative Societies Act, 1983 on 09.10.2020 itself. According to her, since final orders have already been passed, the writ petition has now become infructuous. According to her, if at all the petitioner is aggrieved by the said order, he has to challenge the same before the learned District Judge under the Tamilnadu Co-operative Societies Act, 1983.



4.Since final orders have already been passed, the relief sought for by the petitioner cannot be granted by this Court. If at all, aggrieved by the final order dated 09.10.2020, the only remedy available to the petitioner is to challenge the same by filing the statutory appeal under the Tamilnadu Co-operative Societies Act.

5.Recording the submissions of the learned Government Advocate appearing for the respondent, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

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 Deputy Registrar of Co-operative Societies,
Sivagangai Region, Kanjerangal
Opposite to Government Women's College,
Sivagangai, Sivagangai District.

+1 CC to M/s.T.RAVI CHANDRAN, Advocate (SR-21531[F] dated 09/11/2020)

+1 CC to M/s.GP (SR-21577[F] dated 09/11/2020)

W.P. (MD)No.15499 of 2020
06.11.2020

CK(CO)

AP(24/11/2020) 2P 4C