

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Ninth day of July Two Thousand Nineteen

PRESENT

The Hon'ble Dr.Justice ANITA SUMANTH

WP(MD) Nos.16723, 16729 & 16731 of 2019
and
W.M.P(MD)Nos.13329, 13335 & 13338 of 2019

K.DUR AISAMY ... PETITIONER IN WP(MD)No.16723/2019
R.MURUGANANDHAM ... PETITIONER IN WP(MD)No.16729/2019
A.ELANGO VAN PETITIONER IN WP(MD)No.16731/2019

Vs

- 1 THE JOINT REGISTRAR,
CO OPERATIVE SOCIETIES,
PUDHUKOTTAI REGION,
PUDHUKOTTAI
- 2 THE DEPUTY REGISTRAR,
CO OPERATIVE SOCIETIES, PUDHUKOTTAI,
PUDHUKOTTAI DISTRICT
- 3 THE SUB REGISTRAR,
CO-OPERATIVE/ FIELD OFFICER,
PUDHUKOTTAI,
PUDHUKOTTAI DISTRICT. ... RESPONDENTS in all WPs

COMMON PRAYER IN WP(MD) Nos.16723, 16729 & 16731 of 2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Calling for the entire records connected to the impugned report dt.4.2.2019 submitted by the 3rd respondent U/s.81 of Tamilnadu Co-operative Societies Act 1983 and consequent notice dt.18.3.2019 issued by the 2nd respondent U/s.87 of the Tamilnadu Co-operative Societies Act 1983 and quash them as illegal.

COMMON PRAYER IN W.M.P(MD)Nos.13329, 13335 & 13338 of 2019 :

To stay all the further proceedings of the impugned report dt.4.2.2019 submitted by the 3rd respondent under section 81 of Tamilnadu Co operative Societies Act 1983 and consequent notice dt.18.3.2019 issued by the 2nd respondent under section 87 of the Tamilnadu Co operative Societeis Act 1983 till the disposal of the above WP and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.MALAIKANI, Advocate for the petitioner in all the petitions and of Mr.R.Murugan, Additional Government Pleader, for R1 & R2 in all the petitions, the court made the following order:-

Mr.R.Murugan, learned Additional Government Pleader accepts notice on behalf of R1 and R2.

2.Notice both through Court as well as privately returnable in four weeks.

3.Let the respondents obtain instructions and file a counter.

4.Learned counsel for the petitioner relies on the proviso to Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 (in short 'Act'), pointing out that the alleged act was committed on 31.10.2011 and as such, the present proceedings are barred by limitation in the light of the proviso to Section 87 of the Act, which stipulates a period of seven years for commencement of action.

5.In the light of the aforesaid, there shall be an order of interim stay as prayed for till the next date of hearing.

6.List on **26.08.2019.**

Sd/-
29/07/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

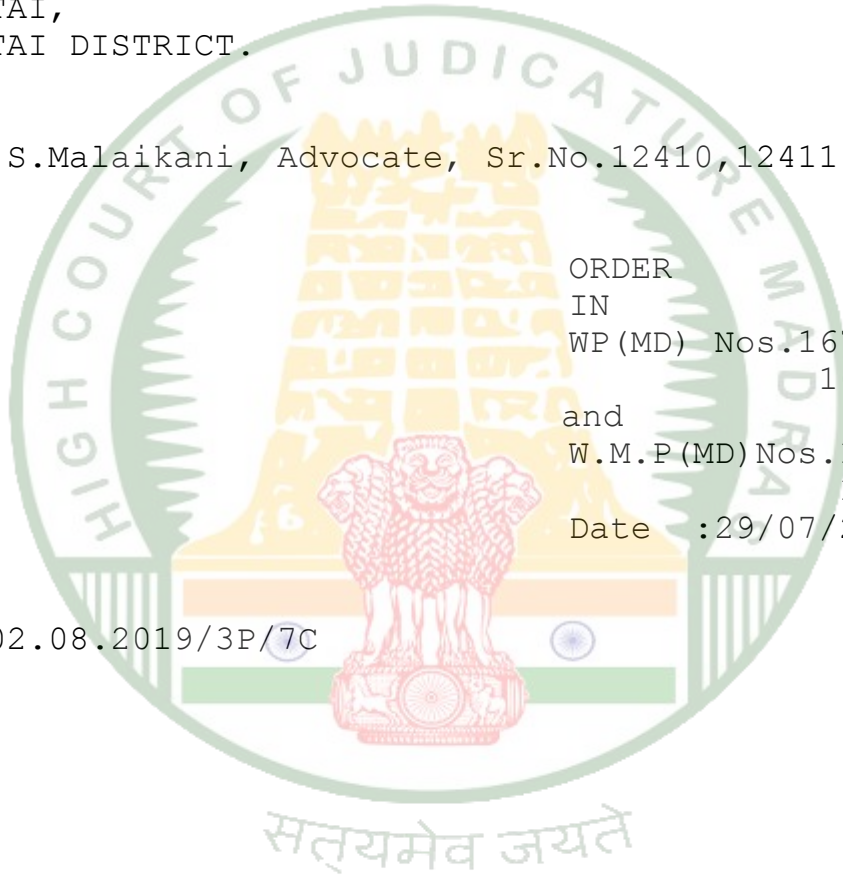
TO

- 1 THE JOINT REGISTRAR
CO OPERATIVE SOCIETIES, PUDHUKOTTAI REGION,
PUDHUKOTTAI
- 2 THE DEPUTY REGISTRAR,
CO OPERATIVE SOCIETIES, PUDHUKOTTAI,
PUDHUKOTTAI DIST
- 3 THE SUB REGISTRAR,
CO-OPERATIVE/FIELD OFFICER,
PUDHUKOTTAI,
PUDHUKOTTAI DISTRICT.

+3 cc to M/s.S.Malaikani, Advocate, Sr.No.12410,12411,12412

ORDER
IN
WP (MD) Nos.16723, 16729 &
16731 of 2019
and
W.M.P (MD) Nos.13329, 13335 &
13338 of 2019
Date :29/07/2019

ps
ES/JC/SAR 2/02.08.2019/3P/7C



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