



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2021

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CORAM

The Honourable Mrs.Justice PUSHPA SATHYANARAYANA
and

The Honourable Mr.Justice KRISHNAN RAMASAMY

W.A.No.1270 of 2016
and C.M.P.No.16480 of 2016

C.Periyasamy

... Appellant

VS

1.Joint Registrar of Co-operative
Societies, Erode Region, Erode.

2.The Deputy Registrar of Co-operative
Societies, Erode Circle,
Erode - 638 009.

3.P.E.65 Modakurichi Circle Teachers
and Public Servants Co-operative
Thrift and Credit Society Limited
Represented by its President
No.7, Kooturavu Poonga (Co-operative Park)
Modakurichi - 638 104.
Erode District.

... Respondents

Prayer: Writ Appeal filed under clause 15 of the Letters Patent
Act against the final order dated 01.07.2016, made in W.P.
No.22811 of 2016.

Prayer in W.P. No.22811 of 2016: Prayer for a Writ of Certiorari
Calling for the records relating to the impugned suspension
orders dated 30.01.2015 on the file of the 3rd respondent and
quash the same.

For Appellant

:

Mr.Jayesh B.Dolia
for Mr.R.Jeyaram



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For R1 & R2

: Mr.C.Jayaprakash
Government Advocate

For R3

: Mr.L.P.Shanmugasundaran
Special Government Pleader

JUDGMENT

(delivered by Pushpa Sathyaranayana,J.,)

This intra-Court appeal is filed against the order passed by the learned Single Judge in W.P. No.22811 of 2016 dated 01.07.2016.

2.The writ petitioner had filed W.P.No.22811 of 2016, challenging the suspension order dated 30.01.2015, passed by the third respondent. The said writ petition was disposed of, directing the writ petitioner to file an appeal before the first respondent within a period of 10 days and on such appeal is being filed, the same may be directed to be disposed of within a considerable time, without insisting the question of limitation. Challenging the said order, the above writ appeal is filed.

3.Though, it was pointed out that an appeal under Section 152 of the Tamilnadu Co-operative Societies Act is not maintainable, it is admitted that a revision under Section 153 of the Act is maintainable. It is also stated that the writ petitioner had filed a revision before the Joint Registrar, seeking to review the suspension order impugned in the writ petition dated 18.03.2016 and the same has not yet been disposed of.

4.In view of the fact that the Revision filed by the writ petitioner before the Joint Registrar is pending, the writ appeal automatically becomes infructuous.

5.Accordingly, the writ appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IV)

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Sub Assistant Registrar



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1. Joint Registrar of Co-operative Societies, Erode Region, Erode.
2. The Deputy Registrar of Co-operative Societies, Erode Circle, Erode - 638 009.
3. The President,
P.E.65 Modakurichi Circle Teachers and Public Servants Co-operative Thrift and Credit Society Limited
No.7, Kooturavu Poonga (Co-operative Park)
Modakurichi - 638 104.
Erode District.

+2cc to Mr.R.Jeyaram, Advocate, S.R.No.39648
+1cc to the Government Pleader, S.R.No.40409

W.A.No.1270 of 2016
and C.M.P.No.16480 of 2016

RSV(CO)
SB(03/09/2021)