



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.17804 of 2021
and W.M.P.Nos.18993 & 18994 of 2021

G.Kuppusamy

...Petitioner

-Vs-

- 1 The Presiding Officer
Cooperative Tribunal/ Principal District
Judge Villupuram Villupuram District.
- 2 The Deputy Registrar of Cooperative
Societies, Tindivanam Villupuram District.
- 3 The CLSPL -148 Melpakkam Primary
Agricultural Co- Operative Bank rep
by its secretary Melpakkam Marakkanam
Taluk Villupuram District.

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the Impugned order of the first respondent passed in C.M.A No.19/2019 dated 16.02.2021 confirming the order of the 2nd respondent herein in Order in Na.Na. Ka. 2847/ 2018 Sapal dated 10.07.2019 passed under section 87 of the Tamil Nadu Co- Operative Societies Act.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.A.Selvendran, Government Advocate
-for RR 1 and 2
Mr.Yogesh Kannadasan,
Government Advocate- for R3

O R D E R

This writ petition has been filed challenging the order passed by the Tribunal / Principal District Judge, Villupuram under Section 152(1)(a) of the Tamil Nadu Cooperative Societies Act, 1983 (hereinafter called as 'the Act').



2. The Division Bench of this Court, in "E.S.Sundara Mahalingam -vs- Special Tribunal for Cooperative Cases (District Judge)" reported in 2020 (1) C.W.C. Page 417 has held that, as against the order passed by the Tribunal under Section 152 of the Act, only a revision will lie under Article 227 of the Constitution of India and a writ petition is not maintainable.

3. In view of the above, liberty is granted to the petitioner to file a Civil Revision Petition under Article 227 of the Constitution of India and challenge the order passed by the Tribunal.

4. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Presiding Officer ,
Cooperative Tribunal/ Principal District,
Judge Villupuram Villupuram District.
2. The Deputy Registrar of Cooperative ,
Societies, Tindivanam Villupuram District.
3. The secretary,
The CLSPL -148 Melpakkam Primary,
Agricultural Co- Operative Bank,
Melpakkam Marakkanam Taluk ,
Villupuram District.

+1 cc to the Government Pleader, Advocate Sr.No.43698

W.P.No.17804 of 2021
& WMP Nos.18993 &
18994 of 2021

GPL[co]
NSK 21/09/2021