



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.Nos.34105 & 34106 of 2017  
and W.M.P.Nos.37858 & 37859 of 2017

A.Sivakumar ...Petitioner in W.P.No.34105 of 2017

K.A.Giri ...Petitioner in W.P.No.34106 of 2017

Vs

1.The Deputy Registrar of Co-op. Societies (Non Credit),  
Kuralangam, Chennai-108.

2.The Section 82 Inspection Officer/Co-op. Sub Registrar,  
XNC 670 AIWFC Women's Consumers Co-op. Stores Ltd.,  
No.7/2, Annasamy Street,  
Elliss Road, Chennai-2.

...Respondents in both W.P's

PRAYER in W.P.No.34105 of 2017: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified calling for the records relating to impugned notice dated 18.12.2017 issued by the 2<sup>nd</sup> respondent herein and quash the same as being illegal, arbitrary, unconstitutional.

PRAYER in W.P.No.34106 of 2017: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified calling for the records relating to impugned notice dated 18.12.2017 issued by the 2<sup>nd</sup> respondent herein and quash the same as being illegal, arbitrary, unconstitutional.

Counsels in W.P.No.34105 of 2017:

|                |   |                                                     |
|----------------|---|-----------------------------------------------------|
| For Petitioner | : | Mr.S.Sathish                                        |
| For R-1        | : | Mr.V.Bharanitharan<br>Additional Government Pleader |
| For R-2        | : | Mr.L.P.Shanmugasundaram                             |



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Counsels in W.P.No.34106 of 2017:

For Petitioner : Mr.S.Sathish  
For R-1 : Mr.S.Jayachandran  
Government Pleader  
For R-2 : Mr.L.P.Shanmugasundaram

C O M M O N O R D E R

The summons in connection with an enquiry, is put under challenge in the present Writ Petition. Pending the Writ Petition, it is stated that the enquiry was proceeded with and had concluded, whereby the respondents have initiated recovery proceedings against the petitioners. As such, the prayer sought for in the present Writ Petitions have become infructuous.

2. At this juncture, the learned Counsel for the petitioners would submit that the recovery proceedings have not been served on them, owing to which, they are not in a position to challenge the same. In case, the respondents have not served such recovery proceedings on the petitioners, they are directed to serve such proceedings within a period of one week from the date of receipt of a copy of this order. The present Writ Petitions are disposed of, accordingly. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

gd

To

- 1.The Deputy Registrar of Co-op. Societies (Non Credit),  
Kuralangam, Chennai-108.
- 2.The Section 82 Inspection Officer/Co-op. Sub Registrar,  
XNC 670 AIWFC Women's Consumers Co-op. Stores Ltd.,  
No.7/2, Annasamy Street,  
Elliss Road, Chennai-2.

+1cc to Government Pleader SR. No.69747

W.P.Nos.34105 & 34106 of 2017

KSM (CO)  
PR (12/01/2022)