



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P. (MD)No.1183 of 2021

IN

W.P. (MD)No.16731 of 2019

A.Elangovan

... Petitioner / Petitioner

Vs.

M.Murugan,
Additional Registrar of Co-operative Societies /
Managing Director,
Tamil Nadu Co-operative Marketing Federation,
No.91, St. Mary's Road,
Chennai - 600 018.

... Contemnor / Third Party

Prayer: Contempt petition filed under Section 11 of Contempt of Courts Act 1971, to initiate contempt proceedings against the contemnor / third party for their willful disobedience to the order of this Court made in W.P.(MD) No.16731 of 2019 dated 15.07.2020 and punish him under the Contempt of Courts Act.

Prayer in WP(MD). 16731/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the entire records connected to the impugned report dated 4.2.2019 submitted by the 3rd respondent Under Section 81 of Tamilnadu Co-operative Societies Act 1983 and consequent notice dated 18.3.2019 issued by the 2nd respondent Under Section 87 of the Tamilnadu Co-operative Societies Act 1983 and quash them as illegal.

For Petitioner : Mr.S.Malaikani
For Respondent : Mr.Ram Sundar Vijayraj

* * *

O R D E R

The petitioner challenged the enquiry report as well as the surcharge proceedings in W.P.(MD)Nos.16723, 16729 and 16731 of 2019. The surcharge notices were quashed vide Order dated 15.07.2020. The grievance of the petitioner is that notwithstanding the same, the respondent herein issued notice on the very same cause of action. The original stand of the stand of the respondent was that since he was not a party to the writ proceedings, he is not bound by the said order. Now, better wisdom appears to have prevailed on him, since he



issued proceedings dated 17.09.2021 recalling the notice which gave rise to the institution of the contempt proceedings.

2. In view of the same, this contempt petition is closed as infructuous.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Additional Registrar of Co-operative Societies /
Managing Director,
Tamil Nadu Co-operative Marketing Federation,
No.91, St. Mary's Road,
Chennai - 600 018.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-32191[F]
dated 21/10/2021)

CONT.P.(MD)No.1183 of 2021 IN
W.P.(MD)No.16731 of 2019
20.10.2021

PS (CO)
GC/UV(02.11.2021) 2P 3C