



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2021

CORAM

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**W.A. (MD)No.728 of 2019
and C.M.P. (MD) No.6334 of 2020**

P.Marichamy

... Appellant/Writ Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Srivilliputhur,
Virudhunagar District.

2.The Section 81 Enquiry Officer,
R.A. 18, Thiruvengadapuram Primary
Agricultural Co-operative Society,
Thiruvengadapuram,
Office of the Deputy Registrar of Co-operative Society,
Srivilliputhur. ... Respondents/Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent Act against the order passed by this Court in W.P.(MD)No.2923 of 2011, dated 03.06.2019.

Prayer in WP(MD). 2923/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certioraraified Mandamus, call for the records relating to the impugned charges dated 19/02/2011 issued by the 2nd respondent communicated in the summons (described as evidence) dated 19/02/2011 issued by the 2nd respondent and quash the same and direct the respondent not to proceed further against the petitioner in this regard and granting such other and further relief as this Honourable Court deems fit and proper in the circumstances of the case and thus render justice.



For Appellant

: Mr.G.Prabhu Rajadurai

For Respondents

: Mr.C.Ramar

Additional Government Pleader

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WEB COPY

J U D G M E N T

(Judgment of the Court was delivered by M.M.SUNDRESH, J)

This Writ Appeal has been preferred against the order of the learned Single Judge taking note of the fact that what has been challenged is only a proceeding under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983.

2.The Writ Petition filed is a premature one and there is no error in the order passed by the learned Single Judge. Furthermore, proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 has been initiated against the appellant.

3.In such view of the matter, this Writ Appeal is closed, giving liberty to the appellant to raise all the contentions in the pending proceedings. The respondent concerned shall pass appropriate orders on the pending proceedings on merits and in accordance with law without being influenced by the order passed by the learned Single Judge in W.P.(MD) No.2923 of 2011. Consequently, connected C.M.P. is also closed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

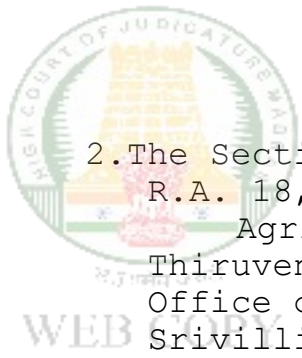
sj

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

1.The Deputy Registrar of Co-operative Societies,
Srivilliputhur,
Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Section 81 Enquiry Officer,
R.A. 18, Thiruvengadapuram Primary
Agricultural Co-operative Society,
Thiruvengadapuram,
Office of the Deputy Registrar of Co-operative Society,
Srivilliputhur.

+1 CC to SGP (SR-1089[F] dated 19/01/2021)

W.A. (MD)No.728 of 2019

11.01.2021

SJ(CO)

NR (03/02/2021) 3P : 4C