



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2021

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P(MD)No.18713 of 2021

and

W.M.P(MD) .No.15450 of 2021

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Boothapandi

... Petitioner

Vs.

1.The Joint Registrar,
Tirunelveli Co-operative Societies Zone,
Joint Registrar Office (Tirunelveli Zone),
No.1, Meignana Street,
Palayamkottai,
Tirunelveli - 627 002.

2.The Deputy Registrar (Co-operative),
Cheranmahadevi,
Tirunelveli District.

3.The Vice-President,
0.255 Ayansingampatti Primary Agricultural
Co-operative Credit Society,
Ayansingampatti,
Tirunelveli District.

... Respondents

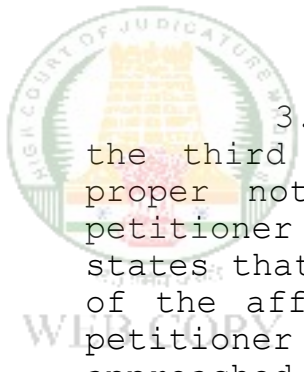
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the entire record pertaining to the Impugned Suspension Order passed by the first respondent vide Na.Ka.No.1326/2021/The.va.sa(1) dated 30.09.2021 and quash the same as perse illegal.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.A.Baskaran,
Government Advocate.

ORDER

The petitioner has approached this Court by challenging the impugned order passed by the first respondent vide Na.Ka.No.1326/2021/The.va.sa(1) dated 30.09.2021 and seeking to quash the same as illegal which was passed without following the natural justice and without *prima facie* material against him.

2. Heard the learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Government Advocate appearing for the respondents.



3. The facts reveal that the petitioner is the President of the third respondent Society and the authorities without giving proper notice, served the impugned order on 30.09.2021 to the petitioner without following the natural justice. The petitioner states that he has not committed any such act of Gross Mismanagement of the affairs of the Society. Based on the impugned order, the petitioner was not permitted to contest the election. Hence, he approached this Court by way of this Writ Petition has challenged the impugned order.

4. Mr.A.Baskaran, learned Government Advocate, accepts notice on behalf of all the respondents. He submits that during the investigation, as per Section 82 of the Co-operative Societies Act, the authorities found *prima facie* material about the Gross Mismanagement of the affairs of the Society and the gold jewel loans were utilised by the petitioner for his personal interest without following the Rules of the Society.

5. Considering the above facts and circumstances of the case, this Court finds no merit in this Writ Petition. If the petitioner is aggrieved by the impugned order passed by the authorities on 30.09.2021, he should approach the appropriate forum in the manner known to law.

6. With these observations, W.P(MD).No.18713 of 2021 is dismissed. There will be no order as to costs. Consequently, W.M.P (MD).No.15450 of 2021 stands closed.

Sd/-

Assistant Registrar (Per.Admn)/
Vacation Officer

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

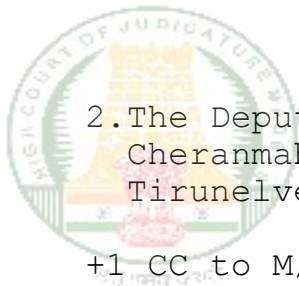
tsg/LM

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 Joint Registrar,
Tirunelveli Co-operative Societies Zone,
Joint Registrar Office (Tirunelveli Zone),
No.1, Meignana Street,
Palayamkottai, Tirunelveli - 627 002.

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



2.The Deputy Registrar (Co-operative),
Cheranmahadevi,
Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-32004[F] dated 13/10/2021)

W.P (MD) No.18713 of 2021

12.10.2021

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