



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.12953 of 2020

and

W.M.P.Nos.16029 & 16030 of 2020

K.Maheshwari

... Petitioner

Vs.

1. The Joint Registrar of Co-Operative Societies,
Salem Region, Collectorate, 4th Floor,
Salem - 636 001.
2. The Deputy Registrar of Co-Operative Society,
Omalur Circle, Omalur,
Salem District.
3. The Administrator,
S-777, Nangavalli Primary Agricultural Co-Operative
Credit Society Ltd,
Nangavalli, Mettur Taluk,
Salem District.
4. The Sale Officer/Co-Operative Sub Registrar/
Senior Inspector of Co-Operative Societies,
S-777, Nangavalli Primary Agricultural Co-Operative
Credit Society Ltd,
Nangavalli, Mettur Taluk,
Salem District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records of the 4th respondent relating to the Notice in E.P.No.1/2016-17 dated 28.08.2020, quash the same and consequently directing to the respondents to await the outcome of CMA(Cs).No.42 of 2019 pending on the file of the Special Tribunal for Co-Operative cases/District Judge, Salem.

For Petitioner : Ms.G.Punniakoti



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For Respondents: Mrs.C.Meera Arumugam
Additional Government Pleader
for R1 & R3
Mr.L.P.Shanmugasundaram
for R3 & R4

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. This writ petition is disposed considering the fact that the petitioner's appeal under Section 152 (1) (a) of the Tamil Nadu Co-operative Societies Act, 1983 is pending before the Principal District Judge and Special Tribunal for Co-operative Cases, Salem in CMA(Cs).No.42 of 2019. Though the petitioner has challenged the attachment order, I find that there is no merits in the present writ petition as there is no proposal, to bring the property for sale. Impugned order merely secures the interest of the 3rd respondent.

3. Considering the fact that the petitioner's appeal is pending before the aforesaid Tribunal, the Tribunal shall consider the petitioner's appeal in CMA(Cs).No.42 of 2019 and dispose the same in accordance with law, as expeditiously as possible, preferably, within a period of one year from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Registrar of Co-Operative Societies,
Salem Region,
Collectorate, 4th Floor,
Salem - 636 001.
2. The Deputy Registrar of Co-Operative Society,
Omalur Circle, Omalur,
Salem District.



3. The Administrator,
S-777, Nangavalli Primary Agricultural Co-Operative
Credit Society Ltd,
Nangavalli, Mettur Taluk,
Salem District.

4. The Sale Officer/Co-Operative Sub Registrar/
Senior Inspector of Co-Operative Societies,
S-777, Nangavalli Primary Agricultural Co-Operative
Credit Society Ltd,
Nangavalli, Mettur Taluk,
Salem District.

+1cc to the Government Pleader, S.R.No.34220

W.P.No.12953 of 2020
and
W.M.P.Nos.16029 & 16030 of 2020

GP (CO)
CT/22/06/2022