



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.6984 OF 2014

AND

M.P.NO.1 OF 2014

J.Pandeeswari

... Petitioner

Vs.

1. The Assistant Director,
(Industrial Co-operatives)/.
Official Liquidator,
Taico Bank,
Thalamuthu Natarajan Maligai,
No.1, Gandhi Irvin Road,
Egmore, Chennai - 600 008.
2. The Branch Manager,
Taico Bank,
Coonoor, The Nilgiris District.
3. The Joint Director (Tea)
Incoserve,
Coonoor, The Nilgiris District.

... Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for the records relating to the order dated 15.10.2013 made in G.L.No.178/2001-1 passed by the 1st respondent, quash the same.

For Petitioner : Mr.C.A.Ramanan
For Mr.N.Manokaran

For Respondents
R1 : M/s.Mithreyi Kasthurirangan
For Mr.K.Harishankar

R2 & R3 : No appearance



ORDER

The order impugned dated 15.10.2013 issued by the Assistant Director of Industries and Commerce / Official Liquidator of the Pandalur Ladies Polythene Workers Industrial Co-operative Society Limited is under challenge in the present writ petition.

2. The writ petitioner states that her husband Late A.Jayachandran was working as the Special Officer of the Pandalur Ladies Polythene Industrial Co-operative Society Limited. The husband of the writ petitioner died on 08.08.2012. Statutory enquiry was conducted regarding the affairs of the said Co-operative Society and the authorities found that there were huge financial loss and accordingly, initiated action to liquidate the Society. An Official Liquidator was appointed to continue the process. The Official Liquidator found that the husband of the writ petitioner, who was holding the Post of Special Officer is responsible for monetary loss to the Co-operative Society. Accordingly, the order impugned dated 15.10.2013 was issued.

3. Once the process of liquidation has been initiated and the Official Liquidator issued certain proceedings under the provisions of the Tamil Nadu Co-operative Societies Act, then the petitioner has to approach the Liquidator or the Registrar for the purpose of adjudication of issues in the manner prescribed under the provisions of the Tamil Nadu Co-operative Societies Act and Rules.

4. In the present case, the order impugned has been passed by the Official Liquidator under the provisions of the Tamil Nadu Co-operative Societies Act and therefore, the petitioner is at liberty to approach the Liquidator, if at all there is any objection with reference to the proceedings, which is impugned.

5. Accordingly, the petitioner is at liberty to approach the functional Registrar / Commissioner of Industries and Commerce, if required, for the purpose of redressal of her grievances by following the procedures as contemplated.

6. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Director,
(Industrial Co-operatives)/.
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2. The Branch Manager,
Taico Bank,
Coonoor, The Nilgiris District.

3. The Joint Director (Tea)
Incoserve,
Coonoor,
The Nilgiris District.

+1cc to Mr.K.Harishankar, Advocate, S.R.No.37507

+1cc to Mr.N.Manokaran, Advocate, S.R.No.37390

W.P.No.6984 of 2014

SKM(CO)
RLP(06/07/2022)