



WEB COPY



W.P.No.30508 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.11.2022

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.30508 of 2022
and WMP Nos.29939 and 29440 of 2022

N.Lakshmanan

... Petitioner

Vs

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai – 600 010.
2. The Deputy Registrar of Cooperative Societies (FAC),
Office of the Deputy Registrar of Cooperative Societies,
Dharmapuri Circle, Collectorate Complex,
Dharmapuri.
3. The Joint Registrar of Cooperative Societies (FAC),
Office of the Joint Registrar of Cooperative Societies,
Dharmapuri Circle, Collectorate Complex,
Dharmapuri.
4. The President,
S-6756, Erranna Halli Primary Agricultural
Credit Society, Palacode Taluk,
Dharmapuri.
5. The Sale Officer,
Cooperative Sub-Registrar/Field Officer,
Palacode, Dharmapuri Distict.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned notices, i.e, 1) prior notice dated 06.06.2022, 2) notice dated 07.07.2022 in Ni.Ma.07/2021-22, Thava No.6871/2016 sapa2 and 3) Consquential attachment notice dated 29.08.2022 in Ni.Ma.07/2021-22 issued by the 5th respondent and quash the same and consequently, direct the respondents herein not to proceed anything against the petitioner and his property till the disposal of Appeal in C.M.A.(CS) No.13 of 2019.

For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader – R1 to R3 & R5
Ms.S.B.Priyadarshini
for Ms.S.Mythreye Chandru
Special Government Pleader - R4

ORDER

Read this order in conjunction with order dated 16.11.2022, which reads as follows:

Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for R1 to R3 and R4 and Ms.S.B.Priyadarshini, learned counsel on behalf of Mrs.Mythreye Chandru, learned Special Government Pleader accepts notice for R4.

2. After some hearing, Mr.A.Ilayaperumal, learned counsel for the petitioner would submit that the petitioner would prefer to approach the Tamil

Nadu Cooperative Tribunal constituted under the provisions of the Tamil Nadu



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Cooperative Societies Act, 1983 for an appropriate interim protection and seeks a weeks' time to file a petition.

3. At his request and to enable the petitioner to do so, list on 23.11.2022 at the end of admission list.

2. Today, learned counsel for the petitioner would circulate a compilation containing advance hearing petition, impleading petition, injunction petition and stay petition in C.M.A.(CS) No.13 of 2019, pending before the Tamil Nadu Cooperative Tribunal.

3. Mr.Dinesh would point out that the applications are in SR stage. It is for the petitioner to have the same numbered, listed and brought up at the earliest before the Tribunal for appropriate orders.

4. The threat under impugned order dated 29.08.2022 for auction of the petitioner's property shall be deferred for a period of six (6) weeks from today or till orders are passed by the Tribunal on the applications seeking interim protection, whichever is earlier.

5. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petitions are closed.

23.11.2022

Index : Yes / No
Speaking Order
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<https://www.mhcjudiciary.org/> **Note: Registry is directed to issue order copy on or before 24.11.2022**



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DR.ANITA SUMANTH,J.

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To

1. The Income Tax Officer
Ward XIV (1)
121, Mahatma Gandhi road,
Chennai – 600 034.
2. Central Public Information Officer,
Non-Corporate Ward 10 (3)
Chennai – 600 034.

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