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W.M.P.No.33071 of 2022

in

W.P.No.33618 of 2022

M.SUNDAR, J.,

Captioned 'Writ Miscellaneous Petition' ['WMP'] has been filed with a prayer to permit the two petitioners to file a single writ petition.

2. Caption talks about Rule 2-B of Appendix IV of Rules to regulate proceedings under Article 226 of Constitution of India in Madras High Court. This is obviously incorrect owing to the advent of 'Madras High Court Writ Rules, 2021' [hereinafter 'Writ Rules 2021' for the sake of convenience and brevity].

3. As a one off case, I construe this as an application under Rule 15 of Writ Rules 2021.

4. The two petitioners are siblings, both children of G.Ranganathan and Santhamani who worked as Secretary and Senior Clerk respectively in 'No.4511 V Kallipalayam Primary Agricultural Co-operative Bank' [hereinafter 'said Society' for the sake of convenience and clarity]. Surcharge proceedings under Section 87 of 'The Tamil Nadu Co-operative Societies Act, 1983' [hereinafter 'said Act' for the sake of



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brevity and convenience] were initiated against the petitioners' parents and the same culminated in an award.

5. Considering the narrow scope of the WMP, it is not necessary to dilate further on facts and it will suffice to say that an auction notice dated 07.12.2022 qua auction of property of petitioners' father G.Ranganathan's has been called in question in the captioned main writ petition.

6. The source of right is the same. The prayer is common and the contentions are same. In this view of the matter, prayer to permit single writ petition is acceded to subject to payment of separate Court fee by petitioners.

Captioned WMP is ordered as prayed for subject to the condition that two writ petitioners to pay separate Court fee. There shall be no order as to costs.

13.12.2022
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