



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Eleventh day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice PARESH UPADHYAY
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

C.M.P.(MD) No.1759 of 2022
in
W.A.(MD) SR.No.10099 of 2022

P.SUDALAI

... PETITIONER/APPELLANT

Vs

1. THE PRESIDENT,
THILI.THANI 52,
KAYATHAR PRIMARY AGRICULTURAL CREDIT CO-OPERATIVE SOCIETY,
KAYATHAR - 628 952.

2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY,
TUTICORIN DIVISION,
TUTICORIN DISTRICT.

3. N.KANTHAMMAL

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant leave to this petitioner to file this writ appeal challenging the order passed in W.P.(MD) No. 19375 of 2017 dated 21.12.2021.

PRAYER IN W.A.(MD) SR.No.10099 of 2022 :

Pleased to set aside the orders passed in W.P(MD) No.19375 of 2017 dated 21.12.2021.

Prayer in WP(MD). 19375/2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records on the files of the 1st respondent pertaining to its order in revision petition No.2/2015 dated 29.08.2017 and to quash the same as illegal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.R.LAXMAN, Advocate for the petitioner, the court made the following order:-



(Order of the Court was made by PARESH UPADHYAY, J.)

1.This Court had, on 14.03.2022 passed the following order:-

"This is the petition seeking leave of this Court to challenge the order dated 21.12.2021 recorded on W.P(MD) No.19375 of 2017.

2. The petitioner was the writ petitioner by his designation, however during pendency of the petition, his term as the President of the petitioner's society ended. The said office bearer intends to address the Court on merits, against the second respondent.

3. Let there be notice to the respondents, returnable in four weeks. Private notice is permitted. It would open to serve the respondents by Registered Post with Acknowledgment Due. So far the grievance against the second respondent is concerned, prima facie, the present petitioner may not be required to be heard on merits, however so far the observations against the present petitioner is concerned, let the other side be heard.

4. List on 11.04.2022."

2.Today, on the cause list, the endorsement reads as under:-

"R1 TO 3 - BATTA WITH ENCLOSURES DUE
PVT NOTICE - PROOF NOT FILED"

3.This petition need not be entertained any further.

4.Leave as prayed for is refused. Appeal would stand dismissed.

sd/-
11/04/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY,
TUTICORIN DIVISION, TUTICORIN DISTRICT.

+1. C.C. to M/S.K.R.LAXMAN Advocate SR.No.18039(F), DATED :
12.04.2022

ORDER IN
C.M.P.(MD) No.1759 of 2022
in
W.A.(MD) SR.No.10099 of 2022
Date :11/04/2022

USK/PN/SAR-I/20.04.2022/2P/3C

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