



W.P.(MD)No.16625 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16625 of 2019

and

W.M.P.(MD)Nos.13259 and 13260 of 2019

K.Mallika

... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Thoothukudi, Thoothukudi District.

2.The President,

T.C.62 Thoothukudi District Medical Department Staff
Co-operative Thrift and Credit Society,
Thoothukudi, Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order bearing C.E.P.No.of 1/2017-2018 SF(2), dated 21.07.2017 passed by the first respondent and quash the same insofar it attaches the property bearing Sy.No.129/1B2 admeasuring 80 cents equal to 0.32.50 hectares of Ayan Korampallam Village, Thoothukudi Taluk, Thoothukudi District at Serial No.2.

For Petitioner	: Mr.S.C.Herold Singh
For R1	: Mr.N.Ramesh Arumugam Government Advocate
For R2	: Mr.D.Shanmugaraja Sethupathy



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ORDER

WEB COPY Heard the learned counsel on either side.

2.The petitioner questions the impugned order of attachment. There is no dispute that the petition mentioned property belongs to the writ petitioner. It is her husband, who was the Secretary of the second respondent society. He is alleged to have committed misappropriation. The first respondent attached the property belonging to the petitioner's husband as well as the petitioner's property. While the attachment proceedings initiated against the petitioner's husband can very well go on, there is no justification for attaching the petitioner's property. Relief is granted insofar as the petitioner is concerned. Accordingly, the impugned attachment is set aside and the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2022

Index : Yes / No

Internet : Yes/ No

rmk

To

The Deputy Registrar of Co-operative Societies,
Thoothukudi, Thoothukudi District.



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G.R.SWAMINATHAN,J.

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