



W.P(MD)No.17798 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.08.2022

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.17798 of 2022

and

W.M.P.(MD)No.12986 of 2022

Mani

... Petitioner

**Vs.**

1.The Deputy Registrar,  
Co-Operative Societies,  
Co-Operative Societies Region Office,  
Palani, Dindigul District.

2.The President,  
DD-524 Maniyakaranpatti Primary Agriculture  
Co-Operative Credit Society,  
Ayyalur Post, Vendasandur Taluk,  
Dindigul District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the 1<sup>st</sup> respondent in E.P.No.3 of 2020 – 21 in E.P.No.1 of 2021 dated 26.07.2022 in surcharge order No.11 of 2019 and 13 of 2019 and quash the same as illegal.



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For Petitioner : Mr.R.Arjunenifer

For Respondents : Mr.P.Thilakumar,  
Government Pleader.

### **ORDER**

Heard the learned counsel on either side.

2.The petitioner had suffered an order of surcharge. She had filed C.M.A.C.S.No.4 of 2021 on the file of learned Principal District Judge/Cooperative Tribunal, Didnigul. In the meanwhile, the impugned notice has been issued calling upon the petitioner to pay the surcharge amount. In default, it has been made clear that the property will be brought to auction. That led to the filing of the present writ petition.

3.Inasmuch as the petitioner had availed her statutory remedy, it is only just and proper that the respondents await the outcome of the said appeal. The impugned notice will be put on hold and abeyance till the dispose of C.M.A.C.S.No.4 of 2021. The learned Principal District Judge/Cooperative Tribunal, Dindigul is directed to dispose of the said appeal on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.



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4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**08.08.2022**

Index : Yes / No  
Internet : Yes/ No  
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To:

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Co-Operative Societies,  
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Palani, Dindigul District.
- 2.The President,  
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Co-Operative Credit Society,  
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**G.R.SWAMINATHAN, J.**

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