



W.P(MD)No.20406 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20406 of 2022

and

W.P.(MD)Nos.14793 and 14794 of 2022

A.Rajendran

... Petitioner

Vs.

The Deputy Registrar Co-operative Societies,
Musiri Circle,
Tiruchirappalli District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in Na.Ka.No.1483/2018 Sa Pa dated 02.11.2018 under Section 87 of Tamil Nadu Co-operative Societies Act, 1983 and quash the same and consequently remand back to the respondent to hold fresh enquiry in accordance with law.

For Petitioner : Mr.G.Praveen Kumar

For Respondent : Mr.P.Thilak Kumar,
Government Pleader.

ORDER

Heard the learned counsel on either side.



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2.What is under challenge is a surcharge order passed under Section 87 of the Tamil Nadu Cooperative Societies Act, 1983. As rightly pointed out by the learned Government Pleader for the respondent, the petitioner has to necessarily move the jurisdictional Cooperative Tribunal. The petitioner's counsel states that he had already filed such an appeal but he did not pursue the same, since he wanted to file the present writ petition. I permit the petitioner to file a fresh appeal before the Cooperative Tribunal within a period of two weeks from the date of receipt of a copy of this order. If such an appeal is filed within two weeks, the Cooperative Tribunal shall entertain the same without reference to limitation and decide the matter on merits and in accordance with law within a period of six months thereafter.

3.With this liberty to the writ petitioner and direction to the Cooperative Tribunal, the writ petition is dismissed. All the contentions of the petitioner are left open. No costs. Consequently, connected miscellaneous petitions are closed.

30.08.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 02.09.2022.

To:



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The Deputy Registrar Co-operative Societies,
Musiri Circle,
Tircuchirappalli District.



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G.R.SWAMINATHAN, J.

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