



WEB COPY

CRP.Nos.807 to 811 of 2009



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.Nos.807 to 811 of 2009

CRP.No.807 of 2009

D.Kovil Pitchai

..Petitioner

Vs.

- 1.The Deputy Registrar of Co-operative Societies,
Collectorate Compound,
Coimbatore 641 018
- 2.The Coimbatore District Consumers
Co-operative Wholesale Stores,
rep. by its Secretary,
Mettupalayam Road,
Coimbatore 641 002

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the orders of the learned Principal District Judge of Coimbatore, dated 31.01.2008 in CMA.No.131 of 1995 confirming the award passed by the Deputy Registrar of Co-operative Societies, Coimbatore dated 20.01.1995 in ARC.No.310/89-90 and to allow the above civil revision petition.

For Petitioner : Mr.J.Hariharan
for Mr.V.Nicholas



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CRP.Nos.807 to 811 of 2009



For Respondents
For R1

: Mr.C.Sathish,
Government Advocate

For R2

: Mr.P.Anbarasan

CRP.No.808 of 2009

V.Jayaraman

Vs.

..Petitioner

- 1.The Deputy Registrar of Co-operative Societies,
Collectorate Compound,
Coimbatore 641 018
- 2.The Coimbatore District Consumers
Co-operative Wholesale Stores,
rep. by its Secretary,
Mettupalayam Road,
Coimbatore 641 002
- 3.A.S.H.Shek Dawood
- 4.A.S.H.Moosa
- 5.K.V.Rangarajan
- 6.S.Pichumani
- 7.S.Marisamy
- 8.E.S.Shanmugha Sundaram
- 9.M.Chinnadurai
- 10.Ramachandran
- 11.S.N.Durai
- 12.E.M.Palanisamy
- 13.S.Subramanian
- 14.D.Kovilpichai
- 15.G.Ramamoorthy
- 16.Subbiah
- 17.S.Sivanandam
- 18.M.Arumugham
- 19.R.Kumarasamy
- 20.V.Rajagopalan
- 21.G.A.Subbulakshmi
- 22.The Special Officer,
Educated Unemployed Youth,
Cooperative Stores, Coimbatore
..Respondents

**PRAYER:**

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The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the orders of the learned Principal District Judge of Coimbatore, dated 31.01.2008 in CMA.No.130 of 1995 confirming the award passed by the Deputy Registrar of Co-operative Societies, Coimbatore dated 20.01.1995 in ARC.No.310/89-90 and to allow the above civil revision petition.

For Petitioner : Mr.J.Hariharan
for Mr.V.Nicholas

For Respondents
For R1 : Mr.C.Sathish,
Government Advocate

For R2 : Mr.P.Anbarasan

R3 to 22 : Given up

CRP.No.809 of 2009

- 1.Sivanandam(died)
- 2.S.Thirunavukarasu
- 3.Sandhiya Maheswari
- 4.Meenakshi

(petitioners 2 to 4 brought on record as LR's
of the deceased first appellant viz.Sivanandam
vide court order dated 04.07.2018
made in MP.No.1 of 2011 in CRP.No.809 of 2009
Vs.

..Petitioners

- 1.The Deputy Registrar of Co-operative Societies,
Collectorate Compound,
Coimbatore 641 018
- 2.The Coimbatore District Consumers



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CRP.Nos.807 to 811 of 2009



Co-operative Wholesale Stores,
rep. by its Secretary,
Mettupalayam Road,
Coimbatore 641 002

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the orders of the learned Principal District Judge of Coimbatore, dated 31.01.2008 in CMA.No.132 of 1995 confirming the award passed by the Deputy Registrar of Co-operative Societies, Coimbatore dated 20.01.1995 in ARC.No.310/89-90 and to allow the above civil revision petition.

For Petitioners : Mr.J.Hariharan
for Mr.V.Nicholas

For Respondents
For R1 : Mr.C.Sathish,
Government Advocate

For R2 : Mr.P.Anbarasan

CRP.No.810 of 2009

S.Subramaniam

Vs.

..Petitioner

- 1.The Deputy Registrar of Co-operative Societies,
Collectorate Compound,
Coimbatore 641 018
- 2.The Coimbatore District Consumers
Co-operative Wholesale Stores,
rep. by its Secretary,
Mettupalayam Road,
Coimbatore 641 002

..Respondents

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PRAYER:

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The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the orders of the learned Principal District Judge of Coimbatore, dated 31.01.2008 in CMA.No.135 of 1995 confirming the award passed by the Deputy Registrar of Co-operative Societies, Coimbatore dated 20.01.1995 in ARC.No.310/89-90 and to allow the above civil revision petition.

For Petitioner : Mr.J.Hariharan
for Mr.V.Nicholas

For Respondents
For R1 : Mr.C.Sathish,
Government Advocate

For R2 : Mr.P.Anbarasan

CRP.No.811 of 2009

V.Rajagopalan

Vs.

..Petitioner

- 1.The Coimbatore District Consumers
Co-operative Wholesale Stores,
rep. by its Secretary,
Mettupalayam Road,
Coimbatore 641 002
- 2.The Deputy Registrar of Co-operative Societies,
Collectorate Compound,
Coimbatore 641 018
- 3.A.S.H.Shek Dawood
- 4.A.S.H.Moosa
- 5.K.V.Rangarajan
- 6.S.Pichumani



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7.S.Marisamy
8.Rajaraman
9.E.S.Shanmugha Sundaram
10.M.Chinnadurai
11.Ramachandran
12.E.M.Palanisamy
13.S.N.Durai
14.S.Subramanian
15.D.Kovilpichai
16.G.Ramamoorthy
17.Subbiah
18.S.Sivanandam
19.M.Arumugham
20.R.Kumarasamy
21.G.A.Subbulakshmi
22.The Special Officer,
The Educated Unemployed Youth,
Cooperative Stores, Coimbatore
(R3 to 22 who are the respondents 2 to 21
in the appeal before the District Court and
the co-defendants 1 to 18, 20 and 21 in the
award proceedings against whom also award
has been passed and therefore, they are not
necessary parties in the present CRP.
Notice is not necessary to them)

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the orders of the learned Principal District Judge of Coimbatore, dated 31.01.2008 in CMA.No.172 of 1995 confirming the award passed by the Deputy Registrar of Co-operative Societies, Coimbatore dated 20.01.1995 in ARC.No.310/89-90 and to allow the above civil revision petition.

For Petitioner : Mr.J.Hariharan
for Mr.V.Nicholas



For Respondents

For R1 : Mr.C.Sathish,
Government Advocate

For R2 : Mr.P.Anbarasan

R3 to 22 : Given up

COMMON ORDER

These civil revision petition are arising out of the order dated 31.01.2008 passed by the Principal District Judge, Coimbatore in CMA.Nos.131, 120, 132, 135 & 172 of 1995.

2. It is seen that the petitioners and other persons suffered an arbitration award in ARC.No.310/1989-90 dated 20.01.1995 under Section 90 of the Tamil Nadu Cooperative Societies Act, 1983, against which statutory appeals were filed, which were also dismissed. However, against the said orders, civil revision petitions were filed before this Court by some of the persons and this Court allowed the same and set aside the award passed in ARC.No.310/98-90 dated 20.01.1995 in respect of the petitioners therein.

3. Now the petitioners also have come forward with these civil revision petitions against the same arbitration award. Therefore,



the petitioners are also entitled for the same relief granted by this Court in CRP.NPD.Nos.3210, 3590 and 3591 of 2008 dated 18.06.2010.

4. As such, in view of the order passed in CRP.NPD.Nos.3210, 3590 and 3591 of 2008 dated 18.06.2010, all the civil revision petitions are also allowed and the award dated 20.01.1995 passed in ARC.No.310/1989-90 as confirmed by the Special Tribunal for Cooperative cases (Principal District Judge, Coimbatore) in Cooperative Civil Miscellaneous Appeal in CMA.Nos.131, 120, 132, 135 & 172 of 1995 dated 31.01.2008 is set aside only insofar as the petitioners herein are concerned. No order as to costs.

13.02.2023

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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CRP.Nos.807 to 811 of 2009



G.K.ILANTHIRAIYAN,J.

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To

- 1.The Principal District Judge,
Coimbatore
- 2.The Deputy Registrar of Co-operative Societies,
Coimbatore
- 3.Secretary,
The Coimbatore District Consumers
Co-operative Wholesale Stores,
Mettupalayam Road,
Coimbatore 641 002
- 4.The Public Prosecutor,
High Court of Madras

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CRP.Nos.807 to 811 of 20

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