



WEB COPY



W.P.No.1735 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM :

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.1735 of 2023

V.L. (Spl) 213, Sathampakkam Primary
Agricultural Co-operative Credit Society,
Rep. by its President
E. Duraisamy

.. Petitioner

VS

1.The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 10.

2. The Deputy Registrar of Co-operative Societies,
Ranipet Circle,
Collectorate,
Ranipet,
Ranipet District.

3. K. Venkataraman

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to dispose the Application filed u/s 90 of Tamilnadu Co.op Societies Act, 1983 by the petitioner on 16.11.2021.



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For Petitioner : Mr.C. Prakasam
For Respondents : Mr.T.K. Saravanan,
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Mr.T.K. Saravanan, learned Government Advocate accepts notice for the respondents.

3. The petitioner is seeking for early disposal of its application filed before the 2nd respondent under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

4. The petitioner Society claims that the 3rd respondent who is its employee is liable to pay a sum of Rs.3,31,754/-, on account of the petitioner Society having suffered a loss due to the 3rd respondent's misconduct. Earlier, a decree was passed in the petitioner's favour against the 3rd respondent under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, which was put to challenge by the 3rd respondent before this Court.

5. In the earlier round of litigation, this Court in a writ petition set aside the findings of the 2nd respondent and remanded the matter back to



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the 2nd respondent for fresh consideration. The grievance of the petitioner in this writ petition is that pursuant to the order of remand, till date, the 2nd respondent has not taken up the application dated 16.11.2021 filed by the petitioner under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 against the 3rd respondent. The petitioner seeks for early disposal of its application dated 16.11.2021 filed against the 3rd respondent under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

6. No prejudice would be caused to any of the parties, if a direction is issued to the 2nd respondent to pass final orders on the petitioner's application, dated 16.11.2021 filed under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 against the 3rd respondent, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on merits and in accordance with law on the petitioner's application, dated 16.11.2021 filed under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, against the 3rd respondent within a period of twelve weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner as well as to the 3rd respondent.



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No costs.

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Index:Yes/No

Neutral Citation:Yes/No

vsi2

To

1.The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 10.

2. The Deputy Registrar of Co-operative Societies,
Ranipet Circle,
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ABDUL QUDDHOSE, J.

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