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Writ Petition No.3026 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.09.2023

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition No.3026 of 2023

WMP.No.3122 of 2023

T.Ramalingam
President,
Naduveerapattu Handloom Weavers'
Production and Sales Society Ltd, No.1623,
Naduveerapattu and Post,
Cuddalore District.

... Petitioner

Vs

- 1.The Director of Handloom and Textiles,
Kuralagam, Chennai.
- 2.The Joint Director of Handloom and Textiles,
Kuralagam, Chennai.
- 3.Mr.Vasudevan,
Managing Director,
Naduveerapattu Handloom Weavers'
Production and Sales Society Ltd, No.1623,
Naduveerapattu and Post,
Cuddalore District.
- 4.Mr.Ramesh,
Superintendent,
Office of the Joint Director of Handloom and Textiles,
Tiruvannamalai,
Tiruvannamalai District.



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5.P.Sundaramurthi,
Assistant,
Naduveerapattu Handloom Weavers'
Production and Sales Society Ltd, No.1623,
Naduveerapattu and Post,
Cuddalore District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorari, call for the records and quash the impugned proceedings of the 2nd respondent passed in Na.Ka.No.14565/2021/H1, dated 16.12.2002.

For Petitioner : Mr.R.Gururaj

For Respondents : Mr.T.K.Saravanan
Government Advocate for R1 to R3
Mr.S.Natarajan for R5
R4-Tapal due

ORDER

This writ petition is filed challenging the order passed by the 2nd respondent appointing administrator to Naduveerapattu Handloom Weavers Co-operative Production and Sales Society Limited, Cuddalore Taluk, under Section 88 (1) (i) (ii) of Co-operative Societies Act. Against the order impugned in this writ petition, an appeal shall lie under Section 152 (2) (a) (v) of Co-operative Societies Act.



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2. In view of the alternative remedy, this Court is not inclined to entertain this writ petition. Accordingly, the writ petition is dismissed with liberty to the petitioner to file an appeal as provided under the Act.

3. While calculating the limitation period for filing the appeal, the petitioner is entitled to exclude the time taken for prosecuting the writ petition before this Court i.e., from 24.01.2023 till the date of receipt of a copy of this order. The Registry is directed to hand over original impugned order to counsel for petitioner.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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S.SOUNTHAR, J.

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To

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Kuralagam, Chennai.

2.The Joint Director of Handloom and Textiles,
Kuralagam, Chennai.

3.Mr.Vasudevan,
Managing Director,
Naduveerapattu Handloom Weavers'
Production and Sales Society Ltd, No.1623,
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