



WA No.2394 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WA No.2394 of 2021

T.Devaki : Appellant

versus

1.The Deputy Registrar of Cooperative Societies,
Omalur Circle, Omalur, Salem

2.The Administrator,
S.777, Nangavalli Primary Agricultural
Cooperative Credit Society
Nangavalli, Mettur Taluk,
Salem District

: Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order dated 01.07.2021 in WP No.19475 of 2020.

For the Appellant : Mr.C.Prakasam

For Respondent No.1 : Mr.K.M.D.Muhilan,
Additional Advocate General

No appearance for the second respondent



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JUDGMENT

(Made by the Hon'ble Chief Justice)

Heard Mr.C.Prakasam, learned counsel for the appellant and Mr.K.M.D.Muhilan, learned Additional Government Pleader for the first respondent.

2. Under the impugned order, the learned single Judge has refused to entertain the petition on the ground that the petitioner has an alternate remedy under Section 152 of the Tamil Nadu Cooperative Societies Act. In fact, instead of Section 152, the same ought to be under Section 153 of the said Act.

3. The learned counsel for the appellant submits that the appellant would avail the alternate remedy.

4. In light of that, the writ appeal stands disposed of with liberty to the appellant to avail the alternate remedy, as may be permissible under law. CMP No.15271 of 2021 is also closed.



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5. In that event, all contentions on merits are kept open. The appellant may seek the benefit of Section 14 of the Limitation Act.

(S.V.G., CJ.)

(P.D.A., J.)

22.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

(tar)

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