



WEB COPY



W.P. No. 22037 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

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

**W.P. No. 22037 of 2023
and
W.M.P. No. 21412 of 2023**

P.Vishwanathan
Petitioner

...

-VS-

The Deputy Registrar of Co-operative Society/
Surcharge Officer,
Erode.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the respondent in Na.Ka. 2614/2020/Sa.Pa, dated 25.06.2021 under Section 87 of Tamil Nadu Co-operative Societies Act, 1983 and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr. L.P.Shanmugasundaram

For Respondent : Mr. U.Bharanidaran
Additional Government Pleader

ORDER

When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Proceedings in Na. Ka. No. 2614/2020/Sapa dated



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25.06.2021 passed by the Respondent, which is impugned in the Writ Petition, by filing appeal under Section 152 of the Tamil Nadu Co-operative Societies Act, 1983, before the jurisdictional District Court/Special Tribunal for Co-operative Cases, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 24.07.2023, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No
NCC: Yes/No

Note: Issue order copy on 16.11.2023.

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To

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The Deputy Registrar of Co-operative Society/
Surcharge Officer,
Erode.



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P.D. AUDIKESAVALU, J.

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