



W.P.No.31016 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2023

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31016 of 2023

and

W.M.P. No.30667 of 2023

G. Krishnamoorthy

... Petitioner

Vs.

The Deputy Register of Co-operative Societies /
Surcharge officer,
Kallakuruchi.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders on the preliminary objections raised by the petitioner dated 21.07.2023, 28.08.2023, 21.09.2023, 04.10.2023 under Section 87 of the Tamilnadu Co-operative Societies Act.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondent : Mr.S.J. Mohamed Sathik

Govt. Advocate.

ORDER

The petitioner is a Contractor of a Co-operative Society. A notice has been issued to him for an enquiry under Section 87 of the Co-operative Societies Act for levy of Surcharge. The petitioner has made objections including raising that



W.P.No.31016 of 2023

there was no jurisdiction to initiate action against him. He has now approached this Court for a direction to the respondent to pass orders on the preliminary objections raised by him. When Section 87 enquiry is being conducted all his objections including the preliminary objections will be considered in total and final orders will be passed.

2. With the above observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.10.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2/ssa

To
The Deputy Registrar of Co-operative Societies /
Surcharge officer,
Kallakuruchi.

D.BHARATHA CHAKRAVARTHY, J.



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W.P.No.31016 of 2023

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W.P.No.31016 of 2023

26.10.2023