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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fourth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WP(MD) No.20859 of 2013

1 M.SUBRAMANIAN(DIED)

2 MALATHI,
3 SEETHALAKSHMI,
4 SUMATHI,
5 GOWRILAKSHMI,
6 KARUPPASAMY ... PETITIONERS

(P1 TO P6 ARE SUBSTITUTED VIDE COURT ORDER DATED 09.01.2023 IN WMP(MD).23137/2022 IN WP (MD).20859/2023 BY KBJ)

Vs

1 THE REGISTRAR OF CO OPERATIVE SOCIETIES,
MUSIRI, TRICHY DISTRICT.

2 THE DEPUTY REGISTRAR OF CO OPERATIVE SOCIETIES,
MUSIRI CIRCLE, MUSIRI,
TRICHY DISTRICT.

3 B.BALAMURUGAN,

4 R.592, VELANKANATHAM PRIMARY,
AGRICULTURAL CO - OPERATIVE SOCIETY,
REP BY ITS PRESIDENT,
VEERAMANIPATTI POST,
MUSIRI TALUK,
TRICHY DISTRICT. ... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of certiorari or any other appropriate writ or order or Direction particularaly in the nature of writ, calling for the records pertaining to the impugned judgment and Decree passed by the Principal District Judge, Trichy in Civil Miscellaneous Appeal (CS) No.72/2012, dated 11.03.2013 confirming the order passed by the 2nd Respondent in Na.Ka.4665/2011/SaPa, dated 13.07.2012 and quash the same.

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ORDER : This petition coming up for orders on this d on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.SUBRAMANIAN, Advocate for the petitioner, the court made the following order:-

It has been held that against the order passed by the Co-Operative Tribunal in a surcharge proceedings, only a revision under Article 227 of the Constitution of India will lie and the Writ Petition is not maintainable.

Registry is therefore directed to convert the Writ Petition into Civil Revision Petition under Article 227 of the Constitution of India and list the matter before the Hon'ble Judge holding the roster.

The petitioner is directed to file the Memorandum of revision in the proper format.

sd/-
04/07/2023

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/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

rmi

TO

1 THE REGISTRAR OF CO OPERATIVE SOCIETIES,
MUSIRI, TRICHY DISTRICT.

2 THE DEPUTY REGISTRAR OF CO OPERATIVE SOCIETIES,
MUSIRI CIRCLE, MUSIRI, TRICHY DISTRICT.

COPY TO

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SUB ASSISTANT REGISTRAR, A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE SECTION OFFICER, WRIT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SECTION OFFICER, JUDICIAL (POSTING) SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
WP(MD) No.20859 of 2013
Date :04/07/2023

RS/VR/SAR-(13.07.2023) 2P 7C

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