



W.P(MD)No.3517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3517 of 2023

and

W.M.P.(MD)No.3265 of 2023

Alphones

... Petitioner

Vs.

1.The Regional Joint Registrar of Co-operative Society,
Kanyakumari Region,
Collector Office New Building,
2nd Floor, Nagercoil,
Kanyakumari District.

2.The Deputy Registrar of Co-Operative Society,
Thuckalay Circle, Nagercoil,
Kanyakumari District.

3.The Filed Officer / Co-Operative Registrar,
3921, Pechiparai Primary Agricultural
Co-Operative Society,
Pechiparai Post, Kanniyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned notice issued by the 2nd respondent herein in his proceedings vide Na.Ka. No.6571/2022/Sapa dated 23.01.2023 and quash the same and thus render justice.



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For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.A.Sivanu Pandian,
Government Advocate.

ORDER

Heard the learned counsel on either side.

2.The petitioner questions the impugned notice issued under Section 87 of the Tamil Nadu Cooperative Societies Act.

2.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition. He would state that the sums withdrawn by the petitioner from the society funds represented payment of counsels' fees. There is considerable force in the petitioner's counsel's contention. But then, this can very well be urged before the enquiry officer. It is not necessary for the Writ Court to adjudicate the issue on merits at this stage itself.

3.Granted liberty to the petitioner to place all his contentions before the enquiry officer, the writ petition is disposed of. I make it clear that I have not



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gone into the merits of the matter. No costs. Consequently, connected miscellaneous petition is closed.

22.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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Kanyakumari Region,
Collector Office New Building,
2nd Floor, Nagercoil,
Kanniyakumari District.
- 2.The Deputy Registrar of Co-Operative Society,
Thuckalay Circle, Nagercoil,
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G.R.SWAMINATHAN, J.

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