



W.P.(MD)No.9105 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9105 of 2023

and

W.M.P(MD)No.8242 of 2023

1.M.K.Sridharan
2.N.Govindaraj

... Petitioners

Vs

1.The Joint Registrar of Co-operative Societies,
Tamil Nadu Co-operative Department,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Registrar of Co-operative Societies,
Tamil Nadu Co-operative Department,
Paramakudi Circle,
Paramakudi,
Ramanathapuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to forbear to initiate criminal prosecution based on the inquiry conducted under Section 81 of Tamil Nadu Co-operative Societies Act ordered by second respondent vide Na.Ka.No.824/2019/PACCS dated 29.10.2019 in Q 1245,



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Vallam Primary Agricultural Co-operative Credit Socety, Nainarkoil Circle,
Paramakudi Taluk by considering their representation dated 26.03.2023.

For Petitioners : Mr.Raja Karthikeyan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The prayer in the writ petition is for forbearing the respondents from initiating criminal prosecution against the petitioner herein.

3.Section 41(d) of the Specific Relief Act, 1963 states an injunction cannot be granted to restrain any person from instituting or prosecuting any proceeding in a criminal matter. The prayer is not maintainable. Leaving open all the contentions and defenses of the writ petitioners, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.04.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA



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To

1. The Joint Registrar of Co-operative Societies,
Tamil Nadu Co-operative Department,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Registrar of Co-operative Societies,
Tamil Nadu Co-operative Department,
Paramakudi Circle,
Paramakudi,
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G.R.SWAMINATHAN, J.

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