



W.P.(MD)No.16545 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.16545 of 2021

A.S.Chinnasamy

... Petitioner

Vs.

1.The Deputy Registrar,  
Office of the Deputy Registrar of Co-operative Societies,  
Usilampatti, Jawahar Nagar,  
Thirumangalam Post and Taluk,  
Madurai District.

2.The President,  
M.D.Spl.121, Pasukkaranpatty Primary  
Agricultural Cooperative Credit Society Ltd.,  
Boothipuram Post, Usilampatty Taluk,  
Madurai District-625 532.

...Respondents

*[2<sup>nd</sup> respondent is impleaded vide order dated 07.11.2023]*

**PRAYER :** Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to implement the judgement and decree passed by the principal District Court, Madurai in C.M.A.(CS) No.28/2011 dated 01.12.2018 and consequently to raise the order of attachment passed in CAEP28/2010-11 ARC14/2010 dated 07.06.2010 by considering earlier representation dated 30.12.2020 and legal notice dated 05.08.2021 within the time stipulated by this Court.



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For Petitioner : Mr.V.R.Venkatesan  
For R1 : Mr.A.K.Manikkam  
Special Government Pleader  
For R2 : Mr.R.R.Kannan

### **ORDER**

This writ petition has been filed seeking for the issue of writ of mandamus directing the first respondent to implement the order passed in C.M.A.(CS)No.28/2011, dated 01.12.2018 by the Principal District Court, Madurai and to raise an order of attachment by considering the representation made by the petitioner dated 30.12.2020.

2.When the matter is taken up for hearing today, it is brought to the notice of this Court that as against the order passed in C.M.A.(CS)No.28/2011, Civil Revision Petition in C.R.P.(MD)No.1267 of 2021 was filed before this Court and that revision petition was allowed by order dated 22.11.2021 by setting aside the order passed in C.M.A.(CS) No.28/2011. As against the same, Special Leave Petition has been filed and the same is pending before the Apex Court.

3.In view of the above development, the relief sought for by the petitioner in this writ petition cannot be granted by this Court. Subject to the



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final result in the SLP, which is pending before the Apex Court, it is left open to the petitioner to revive his claim.

4.This Writ Petition is disposed of in the above observations. No costs.

**07.11.2023**  
**(2/2)**

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

The Deputy Registrar,  
Office of the Deputy Registrar of Co-operative Societies,  
Usilampatti, Jawahar Nagar,  
Thirumangalam Post and Taluk,  
Madurai District.



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**N.ANAND VENKATESH, J.**

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