



W.P(MD)No.5032 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5032 of 2015
and
M.P(MD)No.2 of 2015 &
W.M.P(MD)No.5407 of 2016

A.Vainaperumal

... Petitioner

Vs

1.The Registrar of Co-operative Societies,
Kilpauk,
Chennai.

2.The Sub Registrar /
Managing Director,
A188 Thoothukudi Co-operative Bank Ltd.,
47, Emperar Street,
Thoothukudi – 628 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the of the Impugned demand notice dated 18.03.2015 issued by the second respondent and quash the same.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.R.Velmurugan



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ORDER

Heard both sides.

2. The petitioner challenges the impugned demand raised by the second respondent. The second respondent has only called upon the petitioner to pay certain sum of money as per the award passed against him under the provisions of the Tamil Nadu Co-operative Societies Act, 1983.

3. The learned counsel appearing for the petitioner would contend that it was an exparte award and the petitioner was not even served. If that be so, he must question the said award itself in the manner known to law. The impugned notice as such is not amenable to such collateral challenge.

4. Granting liberty to the petitioner to work out his rights as per law, this writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. All the contentions of the petitioner are left open. The time spent in prosecuting the writ petition shall be excluded. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

16.08.2023

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



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To

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G.R.SWAMINATHAN, J.

MGA

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