



W.P(MD)No.22293 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22293 of 2023 and
WMP(MD) No.18573 of 2023

S.Lakshmanan

... Petitioner

Vs

1.The Joint Registrar of Co-operative Societies,
Tuticorin Region,
Tuticorin.

2.The Deputy Registrar of Co-operative Societies,
Tiruchendur Taluk,
Tuticorin District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned show cause notice in Na.Ka.No. 3825/2023/sa.pa, dated 04.08.2023 on the file of the first respondent and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.P.T.Thiraviam
Government Advocate

ORDER

This writ petition is filed challenging the show cause



W.P(MD)No.22293 of 2023

WEB COPY

notice issued by the first respondent in Na.Ka.No.3825/2023/Sa.Pa,
dated 04.08.2023.

2.The learned counsel appearing for the petitioner submits that he has sought for a document from the respondent, which has been referred in the impugned order and based on that document only, the entire proceedings was initiated as against the petitioner. In the absence of that document, the petitioner is not able to furnish his explanation properly.

3.Mr.P.T.Thiraviam, learned Government Advocate, who takes notice for the respondents, on instructions submits that in response to the show cause notice, dated 04.08.2023, the petitioner has offered his explanation on 16.08.2023 and another explanation on 28.08.2023. According to the learned Government Advocate, this writ petition is filed only to drag on the proceedings.

4.This Court considered the rival submissions made.



W.P(MD)No.22293 of 2023

WEB COPY

5.The impugned proceedings is only a show cause notice and therefore, this writ petition is not maintainable in view of the decision of the Hon'ble Supreme Court in **Union of India vs. Kunishetty Satyanarayana [(2006) SCC 28]**.

6.Accordingly, this writ petition is disposed of with a direction to the respondents to furnish a copy of the proceedings of the Deputy Registrar of Societies, Tiruchendur in Na.Ka.No. 1697/2022, dated 10.05.2022 to the petitioner, which is a basis for the show cause notice, within a period of three weeks from the date of receipt of a copy of this order. In such event, the petitioner is directed to file his response/explanation to the show cause notice within a period of one week from thereon. No costs. Consequently, connected Miscellaneous Petition is closed.

13.09.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



W.P(MD)No.22293 of 2023

WEB COPY To

- 1.The Joint Registrar of Co-operative Societies,
Tuticorin Region,
Tuticorin.
- 2.The Deputy Registrar of Co-operative Societies,
Tiruchendur Taluk,
Tuticorin District.



WEB COPY



W.P(MD)No.22293 of 2023

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.22293 of 2023 and
WMP(MD) No.18573 of 2023

13.09.2023