



W.P(MD)No.24992 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24992 of 2023

Ramaiah

... Petitioner

Vs.

1.The Joint Registrar,
Tamil Nadu Co-operative Societies,
Tirunelveli Region,
Tirunelveli.

2.The Deputy Registrar,
Tamil Nadu Co-operative Societies,
Cheranmahadevi,
Tirunelveli District.

3.The Secretary,
No.0.2015 Co-operative Society,
Aladiyur Village,
Ambasamudram Taluk,
Tirunelveli 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 pertaining to the Impugned Order in Na.Ka.No.4302/2022 Sa.Pa dated 19.07.2023 passed by the first respondent and quash the same as illegal.



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For Petitioner : Mr.C.Saravana Kumar
For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2. The impugned order of disqualification has been passed under Section 36 of the Tamil Nadu Co-operative Societies Act, 1983. The learned counsel appearing for the petitioner submits that the case on hand is covered by the earlier order passed by this Court render in W.P(MD)Nos.3731 and 4513 of 2017 (Thanga Chinnappa & Others Vs The Regional Joint Registrar of Co-operatives Societies & Others) dated 24.07.2020.

3. Whether the said decision would cover the case on hand or not will require an adjudicate on factual aspects. The petitioner has an effective appeal remedy before the Registrar of Co-operative Societies, Chepauk, Chennai. If the petitioner files such an appeal within three weeks from the date of receipt of a copy of this order, the same will be



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entertained without reference to limitation. The impugned order shall be put on hold for a period of ten weeks from today (16.10.2023). The petitioner can file an interim application for stay along with the appeal memorandum. The said interim application will be disposed of by the appellate authority within a period of three weeks after such filing. I make it clear I have not gone into the merits of the matter.

4. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.10.2023

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

To

1.The Joint Registrar,
Tamil Nadu Co-operative Societies,
Tirunelveli Region,
Tirunelveli.

2.The Deputy Registrar,
Tamil Nadu Co-operative Societies,
Cheranmahadevi, Tirunelveli District.

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3.The Secretary,
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