



W.P(MD)No.25500 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25500 of 2023

and

W.M.P.(MD)Nos.21675 & 21676 of 2023

Neelakandan

... Petitioner

Vs.

- 1.The Registrar of Cooperative Societies,
Kilpauk,
Chennai-600 010.
- 2.The Joint Registrar of Cooperative Societies,
Thanjavur-613 004.
- 3.The Deputy Registrar of Cooperative Societies,
Pattukottai Circle, Pattukkottai,
Thanjavur District.
- 4.The Secretary,
T.1026, Mavadukurichi Primary Agricultural
Cooperative Society Ltd.,
Mavadukurichi, Thanjavur 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 order in CEP.No.3/2023-2024 ARC No.3/2023-2024 RC.No. 2693/2023/SAPA dated 03.10.2023 on the file of the 3rd Respondent and quash the same.



W.P(MD)No.25500 of 2023

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.M.Prakash
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner's brother Thiru.R.K.Palanivel was the president of the fourth respondent society. He had suffered an order of surcharge under Section 87 of the Tamil Nadu Co-operative Societies Act. The petition mentioned property is a joint family property. R.K.Palanivel has only 1/3rd undivided share in the property. By the impugned notice, the entire property sought to be attached.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the revised notice will be issued confining the scope of attachment to 1/3rd undivided share of Thiru.R.K.Palanivel in the petition mentioned property. The authorities are at liberty to do so.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

19.10.2023

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.25500 of 2023

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