



W.P.No.14737 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.14737 of 2024

R.Balasubramanian

... Petitioner

Vs.

1.The Joint Registrar of cooperative Societies,
Thiruvannamalai Region, Thiruvannamalai,
Thiruvannamalai District.

2.The Administrator,
C.1492, Veeralur Primary Agricultural
Cooperative Credit Socety,
Veeralur Village and Post – 606 901,
Kalasapakkam Taluk,
Thiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.1744/2024/SaPa, dated 03.04.2024 and quash the same and consequently direct the 1st respondent to entertain the Statutory Revision filed by the petitioner on 13.03.2024 and dispose the same on merits.



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W.P.No.14737 of 2024

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Nanmaran
Additional Government Pleader
for R1
Mr.V.Manoharan
for R2

ORDER

The petitioner has filed the Revision Petition under Section 153 of the Tamil Nadu Cooperative Societies Act as against the order of the second respondent/Society dated 15.03.2023. By the order impugned in the writ petition dated 03.04.2024, the same is rejected on the ground that it is beyond the period of limitation of 90 days.

2. The question is no longer *res integra*, matter has already been decided by this Court in W.P.No.606 of 2011 vide order dated 10.02.2011 in the case of ***K.Ramu Vs. The Additional Registrar of Co-operative Societies, Kilpauk, Chennai – 5 and others*** and in subsequent judgments it has been held that the period of 90 days mentioned in Section 153 of the Act is not a period of limitation, but it is intended to expedite proceedings. Any revision filed beyond the period of 90 days cannot be rejected merely on the ground of delay that it has to be considered on merits.



W.P.No.14737 of 2024

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3. Mr.V.Nanmaran, learned Additional Government Pleader appearing for the first respondent and Mr.V.Manoharan, learned counsel appearing for the second respondent would submit that because the revision is submitted beyond the period of 90 days, the impugned order has been passed. But however, the learned counsel cannot refute the legal position which has been repeatedly held by this Court.

4. In view thereof, this Writ Petition is allowed on the following terms:-

(i) The impugned order dated 03.04.2024 passed by the first respondent is set aside and the first respondent is directed to consider the revision filed by the petitioner on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

(ii) No costs.

06.06.2024

Neutral Citation: No
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W.P.No.14737 of 2024

To
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W.P.No.14737 of 2024

D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.14737 of 2024

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