



WEB COPY



W.P.No.17117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.17117 of 2024
and W.M.P.No.18887 of 2024

A.Gunasundari

.. Petitioner

Versus

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

2. Tiruvannamalai District Central Co-operative Bank,
Rep by its Joint Registrar / Administrator,
District Collector Compound,
Tiruvannamalai - 606 604.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus calling for the records of rejecting the revision petition letter in Do.TVM/30/2024-Ac, dated 30.05.2024 on the file of the 1st respondent quash the same and consequently direct the 1st respondent to entertain the revision petition and pass final order accordance with law after giving opportunity to both parties.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.G.Krishnaraja,



W.P.No.17117 of 2024

Additional Government Pleader

ORDER

The petitioner has filed the Revision Petition under Section 153 of the *Tamil Nadu Co-operative Societies Act, 1983* as against the order of the second respondent / Society, dated 16.08.2023. By the order impugned in the Writ Petition, dated 30.05.2024, the same is rejected by the first respondent on the ground that it is beyond the period of limitation of 90 days.

2. The question is no longer *res integra*, since the matter has already been decided by this Court in W.P.No.25478 of 2011 vide order dated 21.12.2023 in the case of ***K.Ramu Vs. The Additional Registrar of Co-operative Societies, Kilpauk, Chennai - 10 and Ors.*** 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.17117 of 2024

WEB COPY

3. *Mr.G.Krishnaraja*, learned Additional Government Pleader 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 30.05.2024 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) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.06.2024

Neutral Citation : no
grs

To

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



W.P.No.17117 of 2024

WEB COPY

2. The Joint Registrar / Administrator,
Tiruvannamalai District Central Co-operative Bank,
District Collectorate Compound,
Tiruvannamalai - 606 604.



WEB COPY



W.P.No.17117 of 2024

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.17117 of 2024
and W.M.P.No.18887 of 2024

27.06.2024