



W.P.No.24408 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.No.24408 of 2019
and WMP.Nos.24142 & 24143 of 2019

1. C.Vasuki
2. C.Sakthi Karthick
3. C.Gowtham Jayasuryaa

... Petitioners

Vs

1. Joint Registrar of Cooperative Societies
Dharmapuri Region,
No.64, Appavoo Nagar,
Dhamapuri – 636 701
2. Deputy Registrar of Cooperative Societies
Dharmapuri,
No.64, Appavoo Nagar,
Dhamapuri – 636 701

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari calling for the records pertaining to the impugned summons in Na.Ka.No.2537/2018/Sa.Pa.2 dated 29.07.2019 issued by the 2nd respondent and quash the same.



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For Petitioners : Mr.P.Rajavel

For Respondents : Mr.A.Anandan
Government Advocate

ORDER

This writ petition has been filed for issuance of a writ of Certiorari to call for the records pertaining to the impugned summons in Na.Ka.No.2537/2018/Sa.Pa.2 dated 29.07.2019 issued by the 2nd respondent and quash the same.

2. Summons was issued on 29.07.2019 by the 2nd respondent for appearance of the petitioners in proceedings initiated under Section 87(1) of the Tamil Nadu Co-operative Societies Act, 1983. The impugned notice was only a notice informing the petitioners to appear for the enquiry. The petitioners necessarily have to appear. If they do not appear, the respondents can proceed further with the enquiry under Section 87 of the Tamil Nadu Co-operative Societies Act and if the petitioners are aggrieved by the final order passed they can file an appeal under Section



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152 of the Act. But the Court cannot even quash the notice issued to the petitioners. There are three petitioners. The husband of the first petitioner Chandrasekaran (late) was working as a Manager at Kadathur Branch of Dharmapuri District Central Co-operative Bank and he died on 23.07.2017. The petitioners are his legal heirs.

3. Since it is alleged that the husband of the first petitioner had misappropriated money from the Co-operative Bank, notice has been issued to the petitioners to appear for enquiry. There was no stay granted by this Court for notice dated 29.07.2019. By this time the enquiry would have been completed. If not completed, the respondents may further proceed and pass appropriate orders. The petitioners shall appear for enquiry, otherwise order will be passed in their absence. If they have to file an appeal they have to deposit the determined amount.

4. The writ petition is not maintainable. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.



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dpq
Index: Yes/No
Speaking order / Non speaking order

To

1. Joint Registrar of Cooperative Societies
Dharmapuri Region,
No.64, Appavoo Nagar,
Dhamapuri – 636 701
2. Deputy Registrar of Cooperative Societies
Dharmapuri,
No.64, Appavoo Nagar,
Dhamapuri – 636 701



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C.V. KARTHIKEYAN, J.

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