



W.P(MD)No.3714 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3714 of 2021

and

W.M.P.(MD)Nos.2982 and 2984 of 2021

Kumaradoss

... Petitioner

Vs.

1.The Deputy Registrar of Co-Operative Societies,
Collector Office New Building, 3rd Floor,
Nagercoil, Agusstheeswaram Taluk,
Kanyakumari District.

2.Y-48, Mylady Primary Agricultural
Co-Operative Credit Society Ltd.,
Rep. by its President, Mylady - Post,
Agustheeswaram Taluk,
Kanyakumari District.

3.C. Thanga Bai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in C.E.P.No.01/2020-21/S.F(2) dated 12.10.2020 on the file of the 1st Respondent and quash the same as illegal considering the petitioner's representation dated 20.10.2020 and further direction to raise the attachment made in the records of Sub-Registry over 1.875 cents plot in resurvey No.114/3, 6.250 cents plot with buildings in



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Re-Survey 114/15 and 38 cents land in Re-Survey No.90/20 of Thingal Nagar
Revenue Village in Kalkulam Taluk of Kanyakumari District.

For Petitioner : Mr.S.Kumar

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader for R1 & R2.
Mr.V.H.S.Prathap for R3.

ORDER

Heard both sides.

2.It is not in dispute that the third respondent is employed in the second respondent society. Surcharge order was passed against the third respondent. In that process, the petitioner's property was attached. The petitioner is no doubt the husband of the third respondent. But there is absolutely no allegation whatsoever against the petitioner. The authority was clearly wrong in attaching the petitioner's property when he had nothing to do with the subject transactions. The impugned attachment order is set aside as far as the petitioner is concerned. The writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

26.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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