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W.P.(MD)NO.7771 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.01.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7771 of 2020 AND
W.M.P.(MD)No.7255 of 2020

1. N.Paul Raj

2. N.Russel

3. R.Nellaiappan

4. M.Mary

5. R.Babu

... Petitioners

Vs.

The Joint Registrar of Co-op. Societies,
Collector Office New Building,
2nd Floor, Nagercoil,
Kanyakumari District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned notice issued by the respondent in Na.Ka.1201/2020/Sa Pa dated 19.3.2020 and quash the same as illegal.

For Petitioner : Mr.M.E.Ilango

For Respondent : Mr.V.Nirmal Kumar,
Government Advocate.

* * *

ORDER

Heard both sides.



2. What is under challenge is a mere notice issued under Section 36 of the Tamil Nadu Co-operative Societies Act. The petitioners can very well offer their response instead of knocking the doors of this Court. The petitioners are given three weeks time from the date of receipt of a copy of this order to offer their explanation.

3. I make it clear that I have not gone into the merits of the matter. All the contentions and the defences of the petitioners are left open. The petitioners' counsel had argued that the copy of the report under Section 81 of the Act was not served on the petitioners. Therefore, the impugned notice was issued without jurisdiction. The contentions can very well be raised by the petitioners in their explanation. It is true that the competent authority to consider all the contentions of the petitioners and follow the procedure and pass final order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To:

The Joint Registrar of Co-op. Societies,
Collector Office New Building,
2nd Floor, Nagercoil,
Kanyakumari District.



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4

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G.R.SWAMINATHAN,J.

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