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1

W.P.(MD)NO.9088 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9088 of 2024

K.M.K.Fyzur Rahman

... Petitioner

Vs.

The Secretary,
Trichi Indco Press,
V.S.S.M.Complex(First Floor),
Near Karpagam Hotel,
54-D/1, West Boulevard Road,
Tiruchirappalli – 620 008.

... 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 proceedings dated 16.02.2024 issued by the respondent and quash the same.

For Petitioner : Mr.P.Arun Jeyatram

For R-1 : Mr.I.Velpradeep

* * *

**ORDER**

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Challenging the stand of the respondent that the petitioner has ceased to be a member of the respondent Society, the present writ petition came to be filed.

2. Against such communications, the writ petition will not lie. The Hon'ble Full Bench has already settled the issue. Be that as it may, the petitioner cannot be left without remedy. I therefore dispose of the writ petition in the following terms:-

a) The respondent shall immediately and without any delay serve a copy of the resolution by which the petitioner was expelled from the Society. The copy of the resolution can be served on the learned counsel also.

b) The petitioner has the option to move the jurisdictional Deputy Registrar under Section 90 of the Tamil Nadu Co-operative Societies Act. If such a petition is filed within a period of three weeks from the date of service of the copy of resolution, it shall be entertained without reference to limitation. The Deputy Registrar shall also dispose of the said petition on merits and in accordance with law within a period



of four months, thereafter.

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3. I make it clear that I have not gone into the merits of the matter. No costs.

12.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 14.06.2024.



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4

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G.R.SWAMINATHAN,J.

PMU

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