



W.P(MD)No.12642 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12642 of 2024

and

W.M.P.(MD)No.11254 of 2024

1.N.H.M.Pandian

2.S.Jeyalakshmi

3.A.Maria Thangam

4.P.Pitchaimani

5.M.Alagaiah

6.C.Kuttydurai

7.G.Senthoor Pandiyan

... Petitioners

Vs.

1.The Registrar of Co-Operative Societies,
No.170, Periyar EVR High Road,
Keelpakkam, Chennai.

2.The Joint Registrar of Co-Operative Societies,
Tenkasi Division, Tenkasi.

3.The Deputy Registrar of Co-Operative Societies,
Tenkasi Division,
Tenkasi.

... Respondents



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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 in pertaining to the impugned order of the 1st respondent in Na.Ka.No.15066/2024/SaPa2 dated 16.04.2024 and quash the same as arbitrary, illegal and without jurisdiction and consequently stay the permanent disqualification until the final order passed in the main appeal pending before the 1st respondent.

For Petitioners : Mr.V.S.Kishok Kumar

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader.

ORDER

Heard both sides.

2.The petitioners suffered disqualification under Section 36 of the Tamil Nadu Cooperative Societies Act, 1983. The Joint Registrar of Cooperative Society, Tenkasi Division, Tenkasi had passed order dated 08.12.2023. Challenging the same, the petitioners filed writ petitions before this Court. This Court permitted the petitioners to move the Registrar of Cooperative Societies and also seek interim relief. The grievance of the petitioners is that while their appeals have been admitted, interim relief has been denied. The order denying interim relief is put to challenge in this writ petition.



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3.Considering the special facts and circumstances of this case, the first respondent is directed to dispose of the writ petitioners' appeal against the disqualification order on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. The petitioners agree to appear before the appellate authority / first respondent through their counsel on 08.07.2024 at 03.00 pm and advance their arguments. The enquiry shall be completed by the appellate authority within a period of ten days thereafter. As regards passing of final order, the time limit has already been mentioned. Since the clock cannot be put back, the original order dated 08.12.2023 passed by the second respondent herein disqualification the writ petitioners herein shall be put on hold and it shall abide by the outcome of the appellate authority's order.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

14.06.2024

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

ias

To:-

- 1.The Registrar of Co-Operative Societies,
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Keelpakkam, Chennai.
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(2/2)