



W.P.(MD)No.18820 of 2021

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 23.04.2024

CORAM :

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

W.P.(MD)No.18820 of 2021

K.Jeyachandran

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,  
Regional Joint Registrar Office,  
District Collector Office Campus,  
Dindigul District-04.
2. The Deputy Registrar of Co-operative Societies,  
Dindigul Circle,  
O/o.Co-operative Societies,  
No.11, State Bank Colony,  
Nehruji Nagar, Dindigul District-01.
3. The President,  
DD.592, V.Kurumpatti,  
Primary Agricultural Co-operative Credit Society,  
V.Kurumpatti, Vembar Patti Post,  
Dindigul District-624308.

... 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 of the impugned letter issued by the second respondent dated 21.09.2021 bearing Pa.Ve.140/2021/Thaa & Ka and



W.P(MD)No.18820 of 2021

quash the same and directing the second respondent to entertain and number the petition filed by the petitioner under Section 90 of the Co-operative Societies Act, on 10.12.2020 and subsequent petition dated 29.07.2020.

For Petitioner : Mr.R.Saravanan  
For R1 & R2 : Mr.M.Senthil Ayyanar  
Government Advocate (Civil Side)  
For R3 : No appearance

### **ORDER**

The Writ Petition is directed against the order dated 21.09.2021 issued by the second respondent and for direction to the second respondent to entertain and number the petition filed by the writ petitioner under Section 90 of the Co-operative Societies Act dated 10.12.2020 and subsequent petition dated 29.07.2020.

2. The writ petitioner has earlier filed a writ petition in W.P. (MD)No.6874 of 2017 seeking a writ of mandamus directing the first respondent/Deputy Registrar of Co-operative Societies to implement the order of the Joint Registrar in Na.Ka.No.135/2013 sa.pa. dated 28.09.2016 to number the execution petition filed by the writ petitioner



*W.P(MD)No.18820 of 2021*

dated 18.03.2017 and to pass further orders within the time limit fixed by this Court and a learned Judge of this Court, vide order dated 17.03.2021, has dismissed the said petition with a direction to the Joint Registrar of Co-operative Societies to number the execution petition, if any filed, and pass orders on the same in accordance with law as expeditiously as possible.

3. The learned counsel appearing for the writ petitioner would submit that the second respondent, without numbering the execution petition, has rejected the same on the ground of lapse of time vide order dated 21.09.2021 and that since the second respondent has violated the order of this Court, the writ petitioner was constrained to file the present writ petition.

4. When the matter is taken up for hearing today, the learned Government Advocate (Civil Side) appearing for the respondents 1 and 2 would submit that since there was an inordinate delay, the second respondent has passed the impugned order. But the fact remains that the second respondent has not followed the direction of this Court. Hence,



W.P(MD)No.18820 of 2021

WEB COPY

this Court is of the view that the impugned order is liable to be set aside on the said ground itself. Consequently, the impugned order dated 21.09.2021 is set aside. The second respondent is directed to take the petition on file and hear the writ petitioner and then pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

**23.04.2024**

NCC :Yes/No  
Index :Yes/No  
Internet : Yes/ No  
csm

To

1. The Joint Registrar of Co-operative Societies,  
Regional Joint Registrar Office,  
District Collector Office Campus,  
Dindigul District-04.
2. The Deputy Registrar of Co-operative Societies,  
Dindigul Circle,  
O/o.Co-operative Societies,  
No.11, State Bank Colony,  
Nehruji Nagar, Dindigul District-01.



*W.P(MD)No.18820 of 2021*

WEB COPY

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*W.P(MD)No.18820 of 2021*

**K.MURALI SHANKAR, J**

csm

**Order made in  
W.P.(MD)No.18820 of 2021**

**Dated : 23.04.2024**