



W.P.(MD) No.15746 of 2016

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

**DATED : .19.11.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

W.P.(MD) No.15746 of 2016

and

W.M.P.(MD) Nos.11537 and 11538 of 2016

Ilamaravaluthy

.. Petitioner

Vs.

The Deputy Registrar,  
Cooperative Housing Societies,  
Mani Nagaram,  
Virudhunagar Zone,  
Virudhunagar.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call the records relating to the proceedings of the respondent made in Na.Ka.927/2014 Sapa dated 03.05.2016 and the consequential proceedings made in Tha.Va.Ka. 1/2016-17 SaPa - Na.KA. 927/14sapa dated 08.08.2016 and quash the same.

For Petitioner : Mr.M.Suresh Kumar

For Respondent : Mr.R.Suresh Kumar  
Additional Government Pleader



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## **ORDER**

The challenge in the writ petition is to a surcharge proceedings that is sought to be initiated against the petitioner for the act of commission and omission that had taken place between the period 1996-2001. The same has also been admitted to by the respondent in his counter.

2. The learned counsel appearing on behalf of the petitioner relied upon the proviso to Section 87 of the Tamil Nadu Co-operative Societies Act, 1983, which bars any proceedings under Section 87 beyond the period of seven years when the Act had taken place.

3. In the present case, it is also admitted by the respondent that only during the period between 31.10.1996 and 24.05.2001, there had been some illegalities committed by the named persons in the notice under Section 87. When that be so, proviso to Section 87 of the Tamil Nadu Co-operative Societies Act clearly bars that proceedings being initiated against the petitioner. Hence, the notice issued by the



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respondent and the consequential proceedings impugned in this writ petition are quashed.

4. In fine, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**19.11.2024**

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

The Deputy Registrar,  
Cooperative Housing Societies,  
Mani Nagaram,  
Virudhunagar Zone,  
Virudhunagar.



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**K.KUMARESH BABU, J.**

abr

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