



W.P.(MD).No.24774 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24774 of 2024

and

W.M.P(MD) No.21076 of 2024

K.Asohan

... Petitioner

Vs.

1. The Additional Chief Secretary,
Co-operation, Food and Consumer Protection
Department,
Secretariat, St.George Fort,
Chennai – 600 009.
2. The Registrar of Co-operative Societies,
Office of the Registrar of
Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar E.V.R.High Road,
Kilpauk, Chennai – 600 010.
3. The Joint Registrar of Co-operative Societies,
Office of the Joint Registrar of
Co-operative Societies,
Thanjavur Region, Thanjavur.



W.P.(MD).No.24774 of 2024

4. The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of
Co-operative Societies,
Kumbakonam Circle,
Thanjavur District.

5. The Administrator/
Deputy Registrar,
Kumbakonam Co-operative
Urban Bank Limited,
Nageswaran Sannathi,
Kumbakonam – 612 002,
Thanjavur District.

... 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 relating to the impugned order passed by the third respondent vide ந.க.எண்.7315/2016 சப நாள்: 11.11.2016 and the consequential order passed by the first respondent vide கடிதம் எண். 7339614/சிப்பி2/ 2024-1, நாள். 21.06.2024 and quash the same and consequently directing the third respondent to take the revision petition dated 03.11.2016 on file and adjudicate the same and pass final order on merits in accordance with law.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.S.Shaji Bino
Special Government Pleader



W.P.(MD).No.24774 of 2024

ORDER

WEB COPY

The instant Writ Petition has been filed by a retired Jewel Appraiser, challenging the order passed by the respondents 1 and 3 herein, wherein his revision application has been dismissed.

2. A perusal of the impugned order passed by the third respondent reveals that the revision application has been returned on the ground that the petitioner has not enclosed the impugned order. Challenging the same, the petitioner has filed another revision application before the first respondent. The first respondent has also rejected the revision application on the ground that there is no scope for interference in the order passed by the third respondent. Challenging these two orders, the present writ petition has been filed.

3. A perusal of the order impugned by the third respondent reveals that the said order has not been passed on merits but it has been returned only on the ground that the petitioner has not enclosed the impugned order. Therefore, this Court is of the considered opinion that the petitioner may resubmit the



W.P.(MD).No.24774 of 2024

revision application before the third respondent herein along with appropriate documents.

4. In view of the above said facts, the order of the respondents 1 and 3 herein are set aside and the matter is remitted back to the file of the third respondent herein. The petitioner is permitted to submit all the relevant documents before the third respondent and in case the same is filed within a period of four weeks, the same shall be entertained without any reference to the period of limitation and an order shall be passed on merits and in accordance with law within a period of twelve weeks from the date on which the revision application is filed by the writ petitioner.

5. With the above said observations, this Writ Petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

21.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).No.24774 of 2024

WEB COPY

To

1. The Additional Chief Secretary,
Co-operation, Food and Consumer Protection
Department,
Secretariat, St.George Fort,
Chennai – 600 009.
2. The Registrar of Co-operative Societies,
Office of the Registrar of
Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar E.V.R.High Road,
Kilpauk, Chennai – 600 010.
3. The Joint Registrar of Co-operative Societies,
Office of the Joint Registrar of
Co-operative Societies,
Thanjavur Region, Thanjavur.
4. The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of
Co-operative Societies,
Kumbakonam Circle,
Thanjavur District.
5. The Administrator/
Deputy Registrar,
Kumbakonam Co-operative
Urban Bank Limited,
Nageswaran Sannathi,
Kumbakonam – 612 002,
Thanjavur District.



WEB COPY



W.P.(MD).No.24774 of 2024

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.24774 of 2024

21.10.2024