



W.P(MD).No.26062 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.26062 of 2024

and

W.M.P(MD).No.22098 of 2024

P.Piramanayagam

... Petitioner

Vs.,

1.The Joint Director,
Kallar Reclamation,
Old Ramanathapuram Collectorate Campus,
Near Anna Bus Stand,
Madurai 625 020.

2.The Secretary,
A-1668 Government Kallar Reclamation,
Teachers Co-operative Society,
Mudhaliyar Colony, Sivagangai Road,
Madurai District 625 020.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent Secretary dated 09.08.2024 quash the same and further direct the second respondent society to sanction and disburse the petitioner's saving amount under Registration No.2581/1993 vested with the second respondent Society with interest.

For Petitioner : Mr.T.Cibichakraborty

For R-1 : Mr.A.Kannan
Additional Government Pleader



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ORDER

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Challenge has been made to the impugned order passed by the second respondent /Secretary, dated 09.08.2024.

2. It is the grievance of the petitioner that the amount deducted by the second respondent society from his salary in every month has not been disturbed, after his retirement. In this regard, the petitioner gave a representation to the second respondent. Thereafter, the second respondent passed the impugned order stating that there was a due from 01.01.2017 and further, the petitioner gave a surety to one M.Raja for availing loan of Rs.3,00,000/- from the second respondent society. Since the said Raja had failed to repay the same, Claim Petition No.201 of 2013-14 was filed before the Deputy Registrar of Co-operative Societies, Madurai, which was allowed on 27.10.2024 and in this regard, E.P.No.189 of 2015-16 has been filed and the same is pending and further, directed the petitioner to pay the due amount of Rs.35,400/- along with the said Raja's due amount of Rs.2,64,605/-. Challenging the same, this petition has been filed.

3. It is the contention of the petitioner that the award was passed only against the said Raja, whereas the petitioner's salary has been withheld.



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4. At the outset, a perusal of the impugned order dated 09.08.2024, it clearly indicates that the petitioner gave a security to one Raja and proceedings has been initiated in this regard and award has also been passed. That apart, E.P.No.189 of 2015 has been filed and the same is pending. Therefore, this Court is of the view that the very writ petition is not maintainable. In the event that the petitioner has any grievances with respect to the award passed by the Deputy Registrar of Co-operative Societies, Madurai, he ought to have filed an appeal under Section 152 of the Tamil Nadu Co-operative Society Act. Accordingly, this Writ Petition is **dismissed**.

5. It is stated by the learned counsel for the petitioner that the copy of the award has not been served on the petitioner. The second respondent is directed to serve a copy of the award to the petitioner. The petitioner is at liberty to challenge that award in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

30.10.2024

NCC : Yes/No
Index : Yes/No
Rmk



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N.SATHISH KUMAR, J.

Rmk

To

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