



W.P.(MD) No.10837 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.10837 of 2017
and
W.M.P.(MD).Nos.8259 & 17767 of 2017**

Ramasamy

... Petitioner

Vs.

1.The Deputy Registrar,
O/o.the Deputy Registrar of Co-operative Society,
Sriviliputhur.

2.The President,
Sp.Spl. 68 Kalaiyarkurichy Primary Agricultural
Co-operative Credit Society Limited,
Kalaiyarkurichi, M.Pudupatti Post,
Sivakasi Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned notice issued by the 1st respondent bearing C.E.P.No.1850/17/Nima dated 23.05.2017 and impugned attachment order bearing C.E.P.No.1850/17/Nima dated 23.05.2017 and quash the same.



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For Petitioner : No appearance

For respondents : Mr.G.Suriyanathan
Additional Government Pleader for R1
Mr.K.P.Krishnadoss for R2

ORDER

There is no representation on behalf of the petitioner. The learned counsel for the second respondent submits that he has given change of vakalat.

2. The learned Additional Government Pleader for the first respondent, on instructions, would submit that the impugned attachment order under Section 167 of Tamil Nadu Co-operative Societies Act, 1983, was passed during the pendency of Section 81 Enquiry under the Tamil Nadu Co-operative Societies Act, 1983. It is submitted that during interregnum period, an enquiry was conducted, a charge memo was issued and surcharge proceedings were also initiated, which has culminated in the final order dated 14.08.2019, which has imposed punishment on the petitioner. It is therefore, submitted that this Writ Petition has become infructuous.



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3. Recording the above, this Writ Petition challenging the attachment order dated 23.05.2017 passed by the Deputy Registrar of Co-operative Society, Srivilliputhur, under Section 167 of the Tamil Nadu Co-operative Societies Act, 1983, is liable to be dismissed.

4. In these circumstances, this Writ Petition is liable to be dismissed. The petitioner may challenge the order passed by the first respondent dated 14.08.2019 under Section 87 of the Tamil Nadu Co-operative Societies Act. 1983 in the manner known to law, if the same has not been challenged earlier.

Accordingly, this Writ Petition stands dismissed with above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

26.04.2024

Internet : Yes / No

apd

To

The Deputy Registrar,
O/o.the Deputy Registrar of Co-operative Society,
Srivilliputhur.

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C.SARAVANAN, J.

apd

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