



W.P(MD)No.28065 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28065 of 2022

and

W.M.P.(MD)No.22141 of 2022

and

W.M.P.(MD)No.3591 of 2023

C.Thangabai

... Petitioner

Vs.

1.The Deputy Registrar of Co-Operative Societies,
Nagercoil, Kanyakumari District.

2.The Management,
Rep by its President,
Y-48 Mylaudy Primary Agricultural
Co-Operative Credit Society Ltd.,
Mylaudy, Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned sale notice issued by the 1st respondent in EP1/2022-2023 dated 22.08.2022 and quash the same as illegal and



W.P(MD)No.28065 of 2022

consequently direct the 1st respondent to pass orders on the objections submitted by the petitioner under Rule 135 of The Tamil Nadu Co-operative Societies Rules, 1988 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader.

ORDER

Heard both sides.

2.The writ petitioner is admittedly the employee of the second respondent society. She had suffered an order of surcharge. She had filed civil miscellaneous appeal before the Cooperative Tribunal. The appeal is still pending. The petitioner has not obtained any interim order. The grievance of the petitioner is that the petition mentioned property belongs to her husband / Kumaradoss and that therefore, the impugned sale notice is bad. If that be so, Kumaradoss must approach this Court challenging the sale notice. The petitioner has no *locus standi*. I had allowed W.P.(MD)No.3714 of 2021 filed by Kumaradoss challenging the attachment order. Therefore, it is he who must



W.P(MD)No.28065 of 2022

come before this Court and not Thangabai. The writ petition is dismissed on the ground of *locus standi*. No costs. Consequently, connected miscellaneous petition is closed.

26.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The Deputy Registrar of Co-Operative Societies,
Nagercoil, Kanyakumari District.
- 2.The Management,
Rep by its President,
Y-48 Mylaudy Primary Agricultural
Co-Operative Credit Society Ltd.,
Mylaudy, Kanyakumari District.



WEB COPY



W.P(MD)No.28065 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.28065 of 2022

26.06.2024