



W.P.No.6840 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.6840 of 2025

K.Krishnan

... Petitioner

Vs.

1.The Deputy Registrar Co-operative Society,
Omalur Circle,
Salem District.

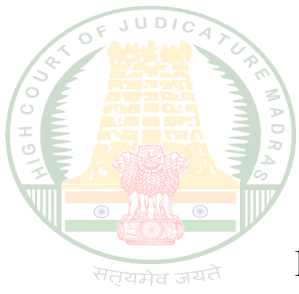
2.S.420, Ramamurthy Nagar Primary
Agricultural Co-operative Credit Society,
Rep. by its Administrator,
Ramamurthy Nagar, Omalur Taluk,
Salem District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to fix the reasonable rate of interest on the surcharge order passed against the petitioner in Na.Ka.1713/2004 sa.pa dated 21.11.2008 by considering the petitioner's representation dated 20.12.2024.

For Petitioner : Mr.M.S.Palaniswamy

For Respondent 1 : M/s.Geetha Thamarai Selvan,
State Government Pleader



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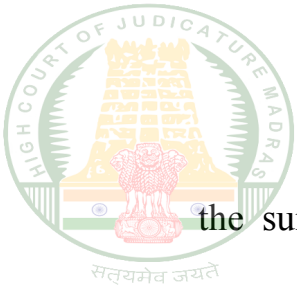
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For Respondent 2 : Mr.P.S.Sivashanmugasundaram
Government Advocate

ORDER

This writ petition has been filed by the petitioner to direct the first respondent to fix the reasonable rate of interest on the surcharge order passed against the petitioner in Na.Ka.1713/2004 sa.pa dated 21.11.2008 by considering the petitioner's representation dated 20.12.2024.

2. The case of the petitioner is that he was working as a Secretary in the second respondent society, and subjected to an inquiry under Section 82 of the TNCS Act for alleged irregularities in issuing KCC loans. The inquiry officer found a loss of Rs.23,89,556.77/- and recommended surcharge proceedings under Section 87, leading to a surcharge order on 21.11.2008. The petitioner's appeal in C.M.A.(Cs)No.13 of 2011 was dismissed on 28.03.2018, confirming the surcharge order. Subsequently, on 30.08.2019, the first respondent issued an attachment order, deducting Rs.4000/- from the petitioner's salary monthly. Challenging the same, the petitioner has filed C.R.P.No.326 of 2021 before this Court, which was also dismissed on 24.03.2023. As the petitioner nears superannuation in 2026, he submitted a representation on 20.12.2024, requesting a reasonable interest rate for settling



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the surcharge amount, but no response has been received, prompting the present petition.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the first respondent to consider the petitioner's representation dated 20.12.2024 within a time frame to be fixed by this Court.

4. Learned Special Government Pleader appearing for the first respondent has filed a written instruction of the first respondent vide R.C.No.3312/2023, dated 21.03.2025, wherein it is stated that the petitioner has to pay a sum of Rs.1,00,02,674.10/-

5. Heard the learned counsel on either side and perused the materials available on record.

6. In view of the submission made by the learned counsel on either side, this Court without going into the merits of the case directs the first respondent to consider the petitioner's representation dated 20.12.2024, after



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giving due notice to the petitioner, affording an opportunity of personal hearing, considering the documents filed by the petitioner along with orders and judgments of this Court on merits, in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and direction. No costs.

25.03.2025 (vm)

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

1.The Deputy Registrar Co-operative Society,
Omalur Circle,
Salem District.

2.S.420, Ramamurthy Nagar Primary
Agricultural Co-operative Credit Society,

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J.SATHYA NARAYANA PRASAD,J.

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