



WEB COPY

W.P.No.14120 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.14120 of 2025
and WMP No.15867 of 2025

B.Krishnamoorthy

... Petitioner

Vs.

The Deputy Registrar of Cooperative Societies/
Surcharge Officer,
Tiruvannamalai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in Tha.thee.No.07/2024-2025 Sa.pa.(Na.ka.2830/2024 sa.pa.) dated 20.01.2025 under Section 87 of Tamil Nadu Co-operative Societies Act, 1983 and quash the same in so far as the petitioner is concerned and consequently remand back to the respondent to hold fresh enquiry after furnish all the required documents to the petitioner vide memo dated 07.01.2025 and to follow the Principles of Natural Justice to the petitioner in accordance with law.

For Petitioner : Mr.L.P.Shanmugha Sundaram
For M/s.K.Rajendran



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W.P.No.14120 of 2



For Respondents : Mr.S.Ravikumar
Special Govt. Pleader

ORDER

The petitioner has an effective alternative remedy by way of an Appeal under Section 152 of the Tamil Nadu Co-operative Societies Act. All pleas including the plea that there has been a violation of principles of natural justice at the hands of the officer, who conducted the Surcharge proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act, may be raised before the District Court, which is the Cooperative Tribunal.

2. If the Appeal is filed within 30 days from the date of receipt of a copy of this order, the learned Principal District Judge cum Cooperative Tribunal, Tiruvannamalai is requested to number the Appeal without insisting on an Application under Section 5 of the Limitation Act. To make it clear the Court will number the Appeal without reference to limitation or insisting upon an Application under Section 5 of the Limitation Act, if the appeal is filed within the aforesaid period. If a stay application is filed by



the appellant before the learned Principal District Judge, he shall dispose of the same on its merits and in accordance with law.

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3. With the above liberty, the Writ Petition is dismissed. The original of the impugned proceedings will be returned to the petitioner after obtaining the usual endorsement. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09.09.2025

jv

Internet : Yes
Index : Yes/No
Neutral Citation : Yes/No
Speaking order/Non Speaking order

To

The Deputy Registrar of Cooperative Societies/
Surcharge Officer,
Tiruvannamalai.

V. LAKSHMINARAYANAN, J.



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