



WEB COPY

CRP No. 1796 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

CRP No. 1796 of 2025

1. R.Rajagopal

S/o. Ramaiya, Formerly President of
S.1073, Kundugal Primary Agricultural
Co-operative Credit Society Ltd,
Having Residence at Konreddiyur,
Konreddiyur Post - 351, Kadaimpatti
Taluk, Salem District.

Petitioner(s)

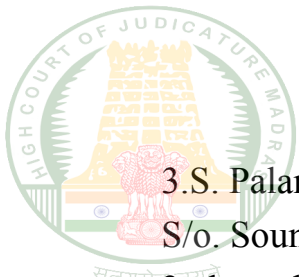
Vs

1. The Deputy Registrar Of Co-
operative Societies

O/o. Deputy Registrar of Co-Operative
Societies, Omalur Circle having office
at Kacheri Street, Omalur Taluk and
Post, Salem District.

2.The Secretary

S.1073, Kundugal Primary Agricultural,
Co-operative Credit Society Limited,
Kundugal, Kadaimpatti Post - 307,
Kadaimpatti Taluk, Salem District.



3.S. Palanisami

S/o. Soundappan, No.75, Pudu Street,
2nd ward, Omalur - 455, Salem
District.

4.R. Periasami

S/O. Periyappan, Jai Nagar, Omalur and
post, Salem District.

5.S. Raghmani

S/o. C.V. Subramani, Konreddiyur,
Konreddiyur Post - 351, Kadaiyampatti
Taluk, Salem District.

6.R. Settu

S/o. Ramagounder, D.No.5/429, TVC
Nagar, Theevattipatti Post - 351,
Kadaiyampatti Taluk, Salem District.

7.S. Periathambi

S/o. Chinnu, M. Pallipatti, M. Pallipatti
Post - 453, Mettur Taluk, Salem
District. (Respondents 1 to 3, 6 and 7
remined ex-parte before the trial court,
Hence, notice may be dispensed with)

Respondent(s)

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PRAYER

To revise the fair and decreetal orders passed in IA No.1/2023 in unnumbered in CMA(CS) No. of 2023 dated 03.01.2024 on the file of the Principal District Judge, Salem filed against the surcharge award passed in Na.Ka.No.2019/2018/Sa.Pa dated 22.01.2020 by the Deputy Registrar of Co-operative Societies, Omalur Circle, Omalur, Salem District.



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For Petitioner(s): S. Kamadevan

For Respondent(s): Mr. P. Gurunathan AGP for R1
and R2

ORDER

The petitioner has challenged the order passed in I.A.No.1 of 2003 in un-numbered CMA(CS).No. of 2003 dated 03.01.2024 on the file of Principal District Judge Salem.

2. The petitioner preferred interlocutory application in I.A.No.1 of 2023 seeking to condone the delay of 1065 days in filing appeal. The petitioner had suffered surcharge order dated 22.01.2022. Challenging the same, an appeal memorandum was filed on 20.02.2023. There was a huge delay of 1065 days in filing the appeal. The petitioner took a ground that delay was caused because of the intervening COVID pandemic. However, the Court below held that High Court had issued final memorandum exonerating the limitation for all type of filings till May 2021. However, the appeal memorandum was filed only on 20.02.2023. The petitioner has not satisfactorily stated the reasons for the delay.

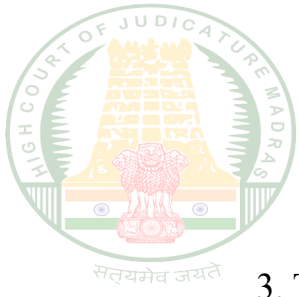


As rightly stated by the Court below for each and every day delay has to be explained with sufficient reasons. The petitioner has failed to adduce proper reasons for the delay. Therefore this Court is not inclined to interfere with the order passed by the Court below. The learned counsel for the petitioner submitted that the petitioner is willing to deposit the specific amount for condoning the delay. In the interest of justice, this Court is inclined to pass the following order.

(i) On the petitioner depositing a sum of Rs.75,00,000/- (Seventy Five Lakhs Only) the Court below namely Principal District Judge, Salem is directed to condone the delay in filing the appeal and number the appeal and proceed in accordance with law.

(ii) The petitioner shall deposit the said sum of Rs.75,00,000/- with the Court below within a period of eight (8) weeks from the date of receipt of a copy of this order.

(iii) If the petitioner fails to deposit the said sum within a period of eight (8) weeks, the order of Court below would stand revived.



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3. This Civil Revision petition is disposed of in above terms. No costs.

25-04-2025

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

RAP

To

1. The Deputy Registrar Of Co-operative Societies

O/o. Deputy Registrar of Co-Operative Societies, Omalur Circle having office at Kacheri Street, Omalur Taluk and Post, Salem District.

2. The Secretary

S.1073, Kundugal Primary Agricultural, Co-operative Credit Society Limited, Kundugal, Kadaampatti Post - 307, Kadaampatti Taluk, Salem District.

3. The Principal District Judge, Salem



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M.DHANDAPANI J.

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