



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA.J

W.P.No.34168 of 2025

S.Amaladoss

... Petitioner

Vs

1. The Deputy Registrar of
Co-operative Societies,
Kallakuruchi Circle,
Kallakuruchi.

2. The Administrator, I.I.616,
Viriyur, Primary Agriculture
Co-operative Credit Society,
Sankarapuram Taluk,
Kallakuruchi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to pass appropriate and suitable orders to raise the attachment made on 04.07.2023 in pursuance to the payment made by the petitioner on 08.11.2023 and the recommendation made by the second respondent Society dated 20.03.2025 by considering the petitioner's application dated 05.12.2023 under Rule 140 (3) (a) of Tamil Nadu Co-operative Societies Rules 1988 and pass orders.

For Petitioner : Mr.I.P.Shanmugasundaram

For Respondents : Mr.E.P.Senniyangiri
Government Advocate



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ORDER

Mr.E.P.Senniyangiri, learned Government Advocate accepts notice on behalf of the Respondents. With consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2. This Writ Petition has been filed to direct the first respondent to pass appropriate and suitable orders to raise the attachment made on 04.07.2023 in pursuance to the payment made by the petitioner on 08.11.2023 and the recommendation made by the second respondent Society dated 20.03.2025 by considering the petitioner's application dated 05.12.2023 under Rule 140 (3) (a) of the Tamil Nadu Co-operative Societies Rules 1988.

3. The case of the petitioner is that the petitioner is a retired Senior Clerk in the Co-operative Society on 31.10.2016, after rendering 31 years of service. After seven years of retirement, he received a surcharge order under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983. Before initiation of the surcharge proceedings, the order of attachment was passed on 04.07.2023, even though the petitioner paid the liability fixed in the surcharge order which was also communicated by the second respondent/society to the

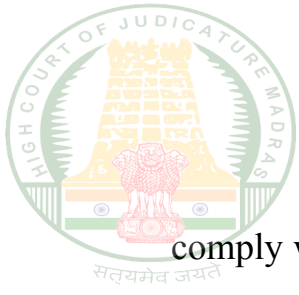


first respondent on 20.03.2025. The petitioner had given representation to the authorities concerned to revoke the attachment order. But they had not done so. Since the grievance of the petitioner had not been considered, he preferred the Writ of Mandamus/present writ petition.

4. When the case came up for hearing, the learned Government Advocate for the respondents would submit that the second respondent has recommended to raise the order of attachment by letter dated 20.03.2025. Since it is not in the form of a resolution, the first respondent is unable to pass appropriate orders.

5. The learned Government Advocate would further submit that this Court may direct the second respondent to send the resolution within a week and thereafter, the order of attachment will be raised. He further submit that the final orders raising the attachment will be positively passed on or before 26.09.2025.

6. Recording the undertaking given by the learned Government Advocate for the respondents, this Writ Petition is allowed with a direction to



comply with the undertaking given by the learned Government Advocate. No

costs.

10.09.2025

dh

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order

To

1. The Deputy Registrar of
Co-operative Societies,
Kallakuruchi Circle,
Kallakuruchi.
2. The Administrator, I.I.616,
Viriyur, Primary Agriculture
Co-operative Credit Society,
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