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W.P.(MD) No.6385 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.6385 of 2021

M.R.Sathurappan

... Petitioner

-VS-

1.Joint Registrar of Co-operative
Societies cum Chairman of
District Level Committee
Virudhunagar Region
Virudhunagar

2.Deputy Registrar of Cooperative Societies
Aruppukkottai
Virudhunagar District

3.The Special Officer
Q-876, Mallanginar Primary
Agricultural Co-operative Bank Ltd.
Mallanginar, Virudhunagar District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relates to impugned order in Na.Ka.526/2019/Tho.Ve.Sa, dated 07.01.2020 passed by the 2nd

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respondent and quash the same as illegal and unconstitutional, consequently direct the respondents to pay a sum of Rs.55,803/- which due to petitioner in the head of LIC maturity and the sum of Rs.18,183/- which deducted from petitioner as shortage in gunny bag sale and Rs.2,06,624/- which deducted from the petitioner's retiral benefits along with statutory interest within the time frame fixed by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 & R2
No appearance for R3

ORDER

This writ petition has been filed challenging the impugned order dated 07.01.2020, passed by the second respondent, rejecting the petitioner's request to pay a sum of Rs.55,803/- due to the petitioner under the head of LIC maturity, a sum of Rs.18,183/-, which was deducted from him on account of the alleged shortage in gunny bag sale and a sum of Rs.2,06,624/-, which was deducted from his retirement benefits, along with statutory interest.



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2. The second respondent, in his counter affidavit, has stated that a surcharge order has been passed against the petitioner as per the provisions of the Tamil Nadu Cooperative Societies Act, 1983 and as per the surcharge order, on account of the irregularities committed by the petitioner, the aforesaid sums were deducted from the petitioner from and out of his retirement benefits. The details of the surcharge order passed against the petitioner have been disclosed in the counter affidavit filed by the second respondent before this Court.

3. On the last hearing date i.e., on 06.11.2025, learned counsel for the petitioner sought time to peruse the surcharge order and argue the matter.

4. Today, learned counsel for the petitioner would submit that he is unable to peruse the surcharge order, since he is unable to contact the petitioner.

5. When, only based on the fact that a surcharge order under the Tamil Nadu Cooperative Societies Act, 1983, has already been passed against



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the petitioner, the aforesaid sums have been deducted, which is the subject matter of this writ petition, the question of entertaining this writ petition does not arise. Since a surcharge order has already been passed against the petitioner, under which the sums determined are due and payable by the petitioner to the third respondent – Society on account of the misappropriation of funds of the third respondent – Society and the details of the same have also been furnished in the counter affidavit filed by the second respondent before this Court, this Court cannot interfere with the impugned order dated 07.01.2020, passed by the second respondent, rejecting the petitioner's request for payment of the sums of money as claimed by him in his representation.

6. For the foregoing reasons, this Court does not find any merit in this writ petition and the same is, therefore, dismissed. No costs.

12.11.2025

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

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To:

- 1.The Joint Registrar of Co-operative Societies cum Chairman of District Level Committee,
Virudhunagar Region,
Virudhunagar.
- 2.The Deputy Registrar of Cooperative Societies,
Aruppukkottai,
Virudhunagar District.



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ABDUL QUDDHOSE, J.

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