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W.A.(MD)NO.1157 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1157 of 2023 AND

C.M.P.(MD)No.8858 of 2023

The President,
Pattukottai Division Hr.Sec.
School Teachers Co-operatives Thrifty and
Credit Society Ltd.,
No.30/6, Vellayudam Complex,
Government Higher Secondary School,
Pattukottai, Thanjavur District. ... Appellant / 2nd Respondent

Vs.

1. P.Ganesan ... 1st Respondent / Writ petitioner
2. The Deputy Registrar,
Regional Deputy Registrar of Co-operatives,
Pattukottai Division,
Thanjavur District.
3. The Head Master,
Government Higher Secondary School,
Kasangadu, Pattukottai Taluk,
Thanjavur District.
4. The District Educational Officer,
District Educational Officer,
Pattukottai Taluk, Thanjavur District.



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5. The Chief Educational Officer,
Chief Educational Office,
Thanjavur & District.

6. The Presiding Officer,
Special Tribunal for Co-operative Cases cum
Principal District Court,
Thanjavur. ... Respondents 2-6/Respondents 1, 3-6

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to
set aside the order made in W.P.(MD)No.14038 of 2016 dated
11.11.2022 by allowing the writ appeal.

For Appellant : Mr.S.Kumar

For R-1 : Mr.C.Bharathi,
for Mr.D.R.Murugesan.

For R-2 to R-5 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

For R-6 : No appearance.

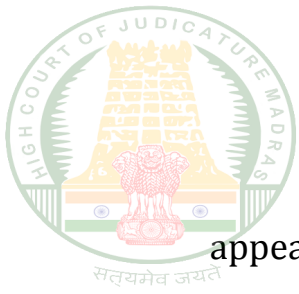
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J U D G M E N T

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The President of Cooperative Credit Society has filed this



appeal challenging the order dated 11.11.2022 in W.P.(MD)No.14038 of 2016 filed by the first respondent herein.

3. It is seen that the first respondent / writ petitioner suffered an arbitral award under Section 90 of the Tamil Nadu Cooperative Societies Act, 1983. He challenged the same and obtained relief of reduction of interest at the hands of the learned single Judge.

4. As rightly pointed out by the learned counsel for the appellant, if the writ petitioner felt aggrieved by the award, the only remedy open to him is to file an appeal under Section 152 of the Act before the Cooperative Tribunal. The arbitral award under Section 90 of the Act cannot be challenged in the writ proceedings. The writ petition was clearly not maintainable.

5. In this view of the matter, the order passed by the learned single Judge is set aside. This writ appeal stands allowed. The petitioner is at liberty to file an appeal before the Tribunal. If such an appeal is filed within a period of four weeks from the date of receipt of a copy of this order, the same shall be entertained without



reference to limitation. Even though we granted such liberty to the writ petitioner, we deem fit and appropriate to direct the appellant to treat the writ petitioner on the same terms which were accorded to the similarly placed borrowers. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
22nd August 2025

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

To:

1. The Deputy Registrar,
Regional Deputy Registrar of Co-operatives,
Pattukottai Division, Thanjavur District.
2. The Head Master,
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AND

K.RAJASEKAR, J.

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