



W.P.(MD) No.17407 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.17407 of 2025

V.Vasumathi

... Petitioner

Vs.

- 1.The Joint Registrar of Cooperative Societies /
Revisional Authority,
O/o the Joint Registrar of Cooperative Societies.
Tiruchirappalli Region,
Tiruchirappalli.
- 2.The Deputy Registrar of Cooperative Societies,
O/o the Deputy Registrar of Cooperative Societies,
Tiruchirappalli Circle,
Tiruchirappalli.
- 3.The Administrator,
R.1268, Thuvakkudi Primary Agricultural
Cooperative Credit Society,
Thuvakkudi,
Tiruchirappalli. District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent vide Na.Ka.No.1160/2025/Saba, dated 24.04.2025 and quash the same and



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consequently directing the first respondent to take the revision petition dated 03.03.2025 on file and adjudicate the same.

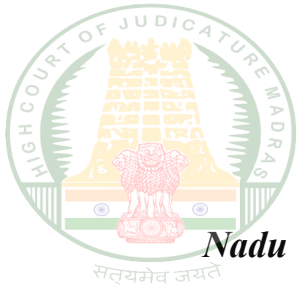
For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.D.Ghandiraj,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order, dated 24.04.2024 passed in revision petition filed under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983 consequently directing the first respondent to take the revision petition, dated 03.03.2025 on file and adjudicate the same.

2. In the revision petition, the petitioner has challenged Resolution No.5, dated 30.09.2024, issued by the third respondent, whereby the petitioner's right to promotion was apparently overlooked and given to one Mr.Mariavimal. It is submitted that the impugned order has been passed without strictly applying the provisions of Section 153 of the Tamil Nadu Cooperative Societies Act, 1983 and contrary to the laws settled by this Court in the case of *N.P.Palanisamy Vs State of Tamil*



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Nadu and others, reported in **2012 (4) CTC 257**, wherein, this Court had held that Limitation under Section 153 of the Tamil Nadu Cooperative Societies Act, 1983, is only directory and not mandatory and therefore, there is no question of filing an application under Section 5 of the Limitation Act, 1963, does not arise.

3. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

4. *Prima facie*, the impugned order passed by the first respondent in his proceedings dated 24.04.2025, is contrary to the law settled by this Court in the case of **N.Palanisamy** stated supra. However, it is noticed that the petitioner has not impleaded the person, who was likely to be affected by the revision petition filed under Section 153 of the of the Tamil Nadu Cooperative Societies Act, 1983, before the first respondent.

5. In view of the above, this Court is inclined to set aside the impugned order. Accordingly, the impugned order dated 24.04.2025 is set



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aside and application filed by the petitioner is restored to the file of the first respondent to pass fresh orders on merits. However, the petitioner shall implead the said Mariavimal in the revision petition within a period of one month from the date of receipt of a copy of this order. Subject to the petitioner complying with the above requirements, the first respondents shall pass fresh orders after due notice to the said Mariavimal on merits and in accordance with law as expeditiously as possible preferably within period of 3 months from the date of receipt of filing of the impleading petition.

6. The writ petition stands disposed of. There shall be no order as to costs.

27.06.2025

Sn
Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes/No



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C.SARAVANAN, J.

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