



W.P.(MD)No.21500 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.21500 of 2018

V.Nambirajan

: Petitioner

Vs.

1.The Joint Registrar,
Co-operative Society,
Theni Region,
Theni.

2.The Deputy Registrar / Special Officer,
A.1254, Theni Agricultural Producers
Co-operative Marketing Society Ltd.,
661, Periyakulam Road,
Theni.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the first respondent herein in Na.Ka.No.6113/2017/Sa.Pa. Dated 29.11.2017 and quash the same and consequently direct the first respondent to take the



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Revision Petition filed by the petitioner dated 22.11.2017 against the order dated 06.05.2013 passed by the second respondent along with the condone delay petition and consider the same on merits and in accordance with law within the time frame stipulated by this Court.

For Petitioner : Mr.G.Mohankumar

For Respondent No.1 : Mr.C.Satheesh,
Government Advocate

For Respondent No.2 : Mr.R.Saravanan

ORDER

This Writ Petition has been filed challenging the impugned order of the first respondent dated 29.11.2017, rejecting the petitioner's revision petition filed under the provisions of “the Tamil Nadu Co-operative Societies Act, 1983” [hereinafter referred to as “the Act”], on the ground that the said revision petition is barred by limitation.

2.Learned Counsel for the petitioner would submit that the petitioner along with the condone delay petition had filed a revision petition but the said condone delay petition has not been considered under the impugned order. He also drew the attention of this Court to an order dated **29.03.2012** passed by this Court in the case of



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N.P.Palanisamy Vs. State of Tamil Nadu reported in 2012 (4)

CTC 257 and would submit that even if the revision petition is filed beyond the prescribed time fixed by the Act, if the petitioner is able to show sufficient cause for condoning the delay, the revision petition can still be entertained.

3.Till date, counter has not been filed by the respondents. As seen from the impugned order, the first respondent has rejected the petitioner's revision petition by a non-speaking order with regard to the contentions of the petitioner as raised in this Writ Petition with regard to the power of revisional authority to condone the delay in filing the revision petition. Being a non-speaking order, in the interest of justice, this Court is of the considered view that the impugned order has to be quashed and the matter remanded back to the first respondent for fresh consideration on merits and in accordance with law. The first respondent shall give due consideration to the condone delay application filed by the petitioner seeking to condone the delay of 1661 days in filing the revision petition on merits and in accordance with law within a time frame to be fixed by this Court.



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4.This Court is not expressing any opinion on the merits of the condone delay application.

5.For the foregoing reasons, the impugned order dated 29.11.2017, passed by the first respondent is hereby quashed and this Writ Petition is disposed of, by remanding the matter back to the first respondent for fresh consideration on merits and in accordance with law within a time frame to be fixed by this Court. The first respondent shall consider the maintainability of the condone delay application filed by the petitioner seeking to condone the delay of 1661 days in filing the revision petition and if the first respondent comes to the conclusion that the said condone delay petition is found to be maintainable, the first respondent shall consider whether sufficient cause has been shown by the petitioner for entertaining the revision petition with the aforesaid delay and pass final orders within a period of twelve [12] weeks from the date of receipt of a copy of this order in both the condone delay petition as well as in the revision petition.



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6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To
The Joint Registrar,
Co-operative Society,
Theni Region,
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ABDUL QUDDHOSE., J.

MR

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