



W.P.(MD) No.18712 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.18712 of 2025

V.Mani

... Petitioner

/vs./

1.The Deputy Registrar Cooperative Societies,
Office of Deputy Registrar Cooperative Society,
Palani,
Dindigul District.

2.The Secretary,
DD-524, Maniyakaranpatti Primary Agriculture,
Cooperative Credit Society,
Vedachandur Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing 1st respondent to receive the surcharge amount of Rs.44,12,971/- from the petitioner by modifying the interest portion in Tha.Va.No.13/2019 dated 24.02.2020 and consequently direct the 1st respondent to release the petitioner's property and drop further proceedings of sale in EP No. 3/2020-2021 on the file of the 1st respondent pertaining to properties in Survey No.314/1C total extent of Hectre 1.72.00 ares, Acres 4 cents 25 situated at Palani



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Sub Registrar Office, Sukkampatti Village, Vadamadurai Sub Division, Vedachandur Taluk, Dindigul District, by considering the petitioner's representation dated 23.06.2025.

For Petitioner : Mr.E.Satheesh
For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the respondents.

2.With consent, this writ petition is disposed of after hearing the learned counsel for the petitioner and the learned Special Government Pleader for the respondents at the time of admission.

3.This writ petition has been filed for a Writ of Mandamus to direct the first respondent to receive the surcharge amount of Rs.44,12,971/- from the petitioner by modifying the interest portion in Tha.Va.No.13/2019 dated 24.02.2020 and to direct the first respondent to release the petitioner's property and drop further proceedings of sale in E.P.No.3/2020-2021 on the file of the first respondent



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pertaining to properties in Survey No.314/1C total extent of Hectre 1.72.00 ares, Acres 4 cents 25 situated at Palani Sub Registrar Office, Sukkampatti Village, Vadamadurai Sub Division, Vedachandur Taluk, Dindigul District, by considering the petitioner's representation dated 23.06.2025.

4.The admitted position is that the petitioner was the President of the second respondent Society and had apparently indulged in misappropriation of funds of the second respondent Society, pursuant to which, proceedings under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 were initiated.

5.By an order dated 24.02.2020, the amount determined by the respondents has come to Rs.44,12,971/-. The petitioner is now willing to deposit the same in full quit with 9% interest.

6.The learned counsel for the petitioner would, however, submit that the petitioner is entitled for complete waiver of interest in terms of the orders of this Court passed in the following cases:-

“i) W.P.(MD) No.23582 of 2022 (P.Malaiyappan Vs. The Deputy Registrar of Co-operative Societies, Palani, Dindigul District and



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another), dated 18.10.2022 and

ii) W.P.(MD) No.24599 of 2024 (G.Subburathinam Vs. The Deputy Registrar of Co-operative Societies, Palani, Dindigul District and another) dated 17.03.2025."

7.Having considered the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, the second respondent is directed to consider the petitioner's representation dated 23.06.2025 subject to the petitioner depositing the admitted principal amount within a period of 30 days from the date of receipt of a copy of this order. Subject to the petitioner depositing the aforesaid principal amount within such time, the second respondent shall consider the petitioner's representation, dated 23.06.2025 and dispose of the same for appropriate waiver, within a period of four weeks thereafter.

8.With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No

Internet : Yes / No

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To

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C.SARAVANAN, J.

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