

*W.P(MD)Nos.22484 and 22485 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

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**THE HONOURABLE MR.JUSTICE C.SARAVANAN**

W.P(MD)Nos.22484 and 22485 of 2025

and

W.M.P(MD)Nos.17581 an 17584 of 2025

W.P(MD)No.22484 of 2025

P.Porkodidevi

... Petitioner

**Vs.**

- 1.The Joint Registrar of Cooperative Societies,  
O/o.The Joint Registrar of Cooperative Societies,  
Sivagangai, Sivagangai District
- 2.The Deputy Registrar of Cooperative Societies,  
O/o.The Deputy Registrar of Cooperative Societies,  
Sivagangai Circle, Sivagangai
- 3.The Administrator,  
NN.581, Keelapasalai Primary Agricultural  
Cooperative Credit Society,  
Keelapalasalai, Manamadurai Block,  
Sivangangai District.
- 4.The Sub Registrar,  
O/o.The Sub Registrar,  
Manamadurai,  
Sivagangai District.

...Respondents



*W.P(MD)Nos.22484 and 22485 of 2025*

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of attachment vide E.P.No.1/2025-26 (Na.Ka.No.277/2025/Ni.Ka) dated 16.06.2025 passed by the second respondent and quash the same and consequently forbearing the respondents from interfering with peaceful possession and enjoyment of the properties mentioned in the impugned order

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For R1 to R3 : Mr.D.Ghandiraj  
Special Government Pleader

For R4 : Mr.G.Suriya Ananth  
Additional Government Pleader

W.P(MD)No.22485 of 2025

R. Yuvaraja

... Petitioner

**Vs.**

- 1.The Joint Registrar of Cooperative Societies,  
O/o.The Joint Registrar of Cooperative Societies,  
Sivagangai,  
Sivagangai District
- 2.The Deputy Registrar of Cooperative Societies,  
O/o.The Deputy Registrar of Cooperative Societies,  
Sivagangai Circle,  
Sivagangai
- 3.The Administrator,  
NN.581, Keelapasalai Primary Agricultural



*W.P(MD)Nos.22484 and 22485 of 2025*

Cooperative Credit Society,  
Keelapalasalai, Manamadurai Block,  
Sivangangai District.

4.The Sub Registrar,  
O/o.The Sub Registrar,  
Manamadurai,  
Sivangangai District.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of attachment vide E.P.No.1/2024-25 (R.C.No.277/2025/Nika) dated 22.04.2025 passed by the second respondent and quash the same and consequently forbearing the respondents from interfering with peaceful possession and enjoyment of the properties mentioned in the impugned order.

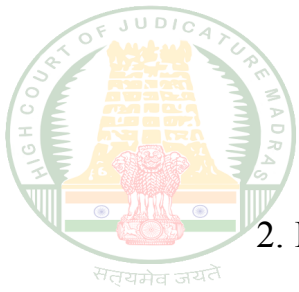
For Petitioner : Mr.D.Shanmugaraja Sethupathi

For R1 to R3 : Mr.D.Ghandiraj  
Special Government Pleader

For R4 : Mr.G.Suriya Ananth  
Additional Government Pleader

### **COMMON ORDER**

These writ petitions have been filed challenging the respective impugned orders dated 16.06.2025 and 22.04.2025.

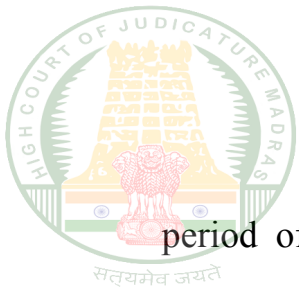


2. Prima facie, it appears that the properties which are the subject matter of attachment in the respective writ petitions were either purchased long before the alleged period of delinquency between 01.04.2019 and 29.04.2022 or were inherited by the petitioner in W.P(MD)No.22484 and purchased by the same petitioner on 12.06.1999. There is no direct link to establish that the said properties were either purchased during the period of delinquency or out of any ill-gotten amounts during the period of delinquency.

3. The issue is also covered by the Division Bench of this Court in the case of ***The Management, Thiruvengadapuram Primary Agricultural Cooperative Credit Society Vs. S.Rathinam and others (WA(MD)No.1511 of 2018)***, wherein Paragraph No.8, it has been held as under:

*“8. As per the provisions of the Tamil Nadu Co-operative Societies Act and the Rules, this Court is of the view that the appellant cannot presume that every property stands in the name of the wife of delinquent against whom surcharge proceedings are initiated as the property purchased out of the money provided by the delinquent so that the same could be attached as a property of the delinquent.”*

4. Considering the same, the impugned attachment orders are quashed and the matter is remitted back to the first respondent to consider the case afresh. This exercise shall be completed by the first respondent within a



*W.P(MD)Nos.22484 and 22485 of 2025*

period of 4 weeks from the date of receipt of a copy of this order. It is needless to state that the respective petitioners shall be heard before any further orders of attachment are made.

5. These writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

**19.08.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**To**

- 1.The Joint Registrar of Cooperative Societies,  
O/o.The Joint Registrar of Cooperative Societies,  
Sivagangai, Sivagangai District
- 2.The Deputy Registrar of Cooperative Societies,  
O/o.The Deputy Registrar of Cooperative Societies,  
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- 4.The Sub Registrar,  
O/o.The Sub Registrar,  
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**C.SARAVANAN, J.**

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