



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 6040 of 2026

and

W.M.P.No.6554 of 2026

1. A.Gnanasekaran
S/o. Aruldoss, No.33-A, Sunnambukara
Street, Sirukadambur, Gingee Taluk,
Villupuram district

Petitioner(s)

Vs

1. the Deputy Registrar of Cooperative
societies
Tindivanam Circle, Tindivanam ,
Villupuram district

2.The Administrator
Melokkaru primary agricultural
cooperative credit society, Melolakkur,
Gingee Taluk, Villupuram district

3.The Administrator
Neganur Primary Agricultural
cooperative credit society, Neganur,
Gingee Taluk, Villupuram district

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to
issue a writ of certiorari, calling for the entire records relating to the impugned



order passed by the 1st respondent in his proceedings E.P. No. 58/ 2012- 2013
in Form No. 14(b) dated 20.01.2026 and quash the same.

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For Petitioner(s): Mr.C.Prakasam

For Respondent(s): Mr.R.Murthy
Government Advocate for R1
Mr.V.Veeramani
Government Advocate for R2

ORDER

Heard Mr.C.Prakasam for the petitioner, Mr.R.Murthy, Government Advocate for 1st respondent and Mr.V.Veeramani, Government Advocate for 2nd respondent.

2.The petitioner was employed as a Clerk in the 2nd respondent society. Pursuant to the directions of the 1st respondent, an inquiry was conducted under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983. The report resulted in a surcharge proceedings being initiated under Section 87 of the Tamil Nadu Cooperative Societies Act, 1983. In the Section 87 proceedings, the petitioner was found liable to pay a sum of Rs.4.77 lakhs (approximately). Therefore, he preferred an appeal before the Co-operative Tribunal cum Principal District Judge, Villupuram, in C.M.A.No.47 of 2003. The said appeal was dismissed on 17.12.2008. Challenging the same, a writ petition came to be presented before this Court in W.P.No.9282 of 2009. A learned Single Judge



held that the writ petition is not maintainable and directed the conversion of the writ petition into a revision on 18.10.2023. Despite the same, till date, the conversion into a revision has not been carried out.

3. Since the order of surcharge continues to be in force, the 1st respondent initiated attachment proceedings for recovery of the amounts due. He passed an order on 20.01.2026, attaching the salary of the petitioner. He directed a sum of Rs.9,860/- to be recovered from the salary of the petitioner every month. This direction was given to the present employer of the petitioner, namely, Neganur Primary Agricultural Cooperative Credit Society, Neganur, Gingee Taluk, Villupuram District, the 3rd respondent herein. Aggrieved by the same, the present writ petition.

4. It is the grievance of the petitioner that a copy of Section 81 inquiry had not been furnished to him. Further, he pleads that the civil revision petition has not yet been numbered by the Registry of this Court. Hence, he should not be penalised for the same.

5. I have carefully considered the submissions of both sides and gone through the records.



6.The surcharge order has been confirmed in an appeal. It has not been kept in abeyance when the order was passed by this Court in W.P.No.9282 of 2009 on 18.10.2023. More than two and half years have lapsed, and till date, the petitioner has not secured any interim order staying the operation of the surcharge order or that of the order passed by the appellate authority in C.M.A.No.47 of 2003. When a decree holder, namely, the 3rd respondent has not been restrained by an order of any Court from recovering the amounts due, I cannot find fault with the order impugned in the present writ petition.

7.Hence, this Writ Petition stands dismissed. The dismissal of this writ petition will not prevent the petitioner to take steps for the conversion of the writ petition into a revision and to move a stay application thereafter. Consequently, the connected miscellaneous petition is closed. No costs.

27-02-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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Tindivanam Circle, Tindivanam , Villupuram
district

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Melokkaru primary agricultural cooperative
credit society, Melolakkur, Gingee Taluk,
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V.LAKSHMINARAYANAN J.

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