



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 13182 of 2026

R.Venkatachalam

Petitioner(s)

Vs

1. The Deputy Registrar Of Cooperative Societies
Salem Circle, Salem Salem District.

2.The Administrator
S.9787 K.Kondappa Naickenpatti
Primary Agricultural Cooperative
Credit Society Kondappa Naickenpatti
Salem -8.

Respondent(s)

PRAYER: Petition filed under Article 226 of Constitution of India, directing the respondents to ascertain the petitioners share of amount in the surcharge order in Na.Ka.No.4798/2017 Sa.Pa. dated 19.08.2021 and to receive the said amount and consequently to release the attachment of the petitioners properties on receipt of the ascertaining amount.

For Petitioner:	Mr.C.Prakasam
For Respondent:	Mr.M.Muthusamy for R1 Government Advocate Mr.T.Chandrasekaran for R2 Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides and perused the materials placed on record.

3. This writ petition has been filed for a direction, directing the



respondents to ascertain the petitioners share of amount in the surcharge order in Na.Ka.No.4798/2017 Sa.Pa. dated 19.08.2021 and to receive the said amount and consequently to release the attachment of the petitioners properties on receipt of the ascertaining amount.

4. It is the case of the petitioner that petitioner is a former President of second respondent society from 2013-2018. For the alleged misappropriation of society funds, surcharge proceedings vide proceedings dated 19.08.2021 under Section 87 of the Cooperative Societies Act was initiated fixing joint liability on the petitioner along with other Board members for a total sum of Rs.67,71,177/- As against the non payment of the amount, the respondent has attached the petitioner's immovable properties. It is the grievance of the petitioner that the petitioner is ready to pay his share of amount in the surcharge proceedings and has made a representation to release the attachment, however, no order is passed. Hence, this writ petition.

5. The learned counsel for the petitioner submitted that the petitioner was one of the office bearers of the second respondent society, fastening the entire liability as against the petitioner by attaching petitioner's property is not sustainable one, however, without prejudice to the rights and contentions of the petitioner, the petitioner is ready to deposit a sum of Rs.12 lakhs out of 67,71,177/- and this Court may issue a direction to defer the auction



proceedings until the petitioner files an appeal before the concerned authority as against the surcharge proceedings.

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6.To the submissions of the learned counsel for the petitioner, the learned counsel for the respondents have no objection.

7. Recording the submissions of the learned counsel for the petitioner, the petitioner shall pay a sum of Rs.12,00,000/- without prejudice to his rights and contention of the petitioner and liberty is granted to petitioner to challenge the surcharge proceedings dated 19.08.2021 in the manner to law within a period of twelve weeks from the date of receipt of a copy of this order and till such time of filing the appeal and deposit of amount as agreed before this Court, the auction proceedings as against the petitioner's property shall be deferred.

8. Accordingly, this writ petition stands disposed of. No costs.

08-04-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

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Societies
Salem Circle, Salem Salem District.

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M.DHANDAPANI J.

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