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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

CRP No. 987 of 2022

CNR: {HCMA011585822021}

The Triplicane Urban Co operative
Society Ltd, rep by its Special officer, Big Street,
Triplicane, Chennai-5.

..Petitioner(s)

Vs

1. The Deputy Registrar of Cooperative Societies
   (non credit)
   Kuralagam, Broadway, Chennai-108.
2. Thiru.Chandrasekaran
   No.1, Vysar Street, East Tambaram,
   Chennai-59.

3. G.Padmanabhan
   JJ Nagar 1st Street, Sivanthangal,
   Sriperumbudur, Kancheepuram Dist,
   Respondent.

4. K.Paramasivam
   No.1, Bhavathidasan Street, Senthil Nagar,
   Thirumullaivoil, Chennai- 62. Respondent.

5. M.Sankar
   F-82/56 Ambedkar Street, MMDA Colony,
   Arumbakkam, Chennai- 600 106. Respondent.
   K.Elumalai (Deceased)

6. M.Siva Sankaran
   34, SBOA Colony, Vinayagapuram, Kolathur,
   Chennai- 99.

7. S.Mariappan
   No.11, Periyar St, 4th Cross St, Irumbuliyur,
   Chennai- 600 045.

8. K.Baskaran

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No.7, IInd Cross Street, IInd Main Road,
Kamakoti Nagar, Narayanapuram,
Chennai-100.

9. V.Rajeswari
11/5, Chokkanathar St, Kowsic Avenue,
Chitlapakkam, Chennai-64.

10. S.Soundari
NO.1, Padmavathi Nagar, Thirumullaivoil,
Chennai-62,

11. K.Dhanasekar
176, Sachidanandam St, Kosapet, Chennai- 600
012,

12. N.P.Kannan
No.08, Agathiar St, Pallikaranai, Chennai- 100.

13. P.Palani,
No.07, Meenambal Cross Street, West
Tambaram, Sivam Enclave, Chennai-45.

14. P.Mani
103, Tiruvottiyur High Road, Kodungaiyur,
Chennai- 118.

15. K.Mohan
23/1, Amaresapuram, Eggu Nagar, Arakonam
Tk, Vellore- 631 004.

16. S.Krishnamoorthy
4/5, Rathna Nagar, 2nd St, Porur, Chennai-116

17. K.Manoharan
21/34, Poonjolai St, Poonga Nagar, Thiruvallur-
600 201.

18. S.Damodaran
5/1, Muthuvel 3rd Cross St, Krishna Street
Extn, New Perungalathur, Chennai- 63.

19. Kasturi

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48/11, Vyasar St, East Tambaram, Chennai-59

20.E.Kantha
Res at No.09, Theradi St, Thiruneermalai,
Chennai- 600 044.

21.E.Babu
Legal heirs of the 6th Respondent Res at No.09,
Theradi St, Thiruneermalai, Chennai- 600 044.

22.E.Baskar
Legal heirs of the 6th Respondent Res at No.09,
Theradi St, Thiruneermalai, Chennai- 600 044.

23.E.Suresh
Legal heirs of the 6th Respondent Res at No.09,
Theradi St, Thiruneermalai, Chennai- 600 044.

24.E.Devi
Legal heirs of the 6th Respondent Res at No.09,
Theradi St, Thiruneermalai, Chennai- 600 044.

..Respondent(s)

PRAYER: Civil Revision Petition filed under Section 115 of CPC to set aside the judgment and decree passed in CMA.NO. 46 of 2011 dated 05.07.2012 on the file of Chief Small Causes Court Chennai, confirming the order of First Respondent in No.Rc.4081/09 Sa.Pa.1 dated 12.01.2011.

For Petitioner(s): Mr.P.Anbarasan

For Respondent(s): Mr.B.Pachaiyappan
Additional Government Pleader for R1
Mr.Prem Narayanan
for R3,R6,R7,R8,R9,R10,R11&R15

R4, R5, R10, R12, R13, R18, R19, R2, R17, R20 to R24 - No appearance

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ORDER

In this Civil Revision Petition the petitioner Co-operative Society has challenged the impugned order passed by the Special Tribunal for Co-operative Society Cases, Chennai in CMA.No.26 of 2011 dated 05.07.2012. The relevant para from the impugned order is reproduced hereunder:-

> "***10. The 4th manipulation according to the appellant is that 214 gas cylinders in the name of 26 consumers, who have not cancelled the registration for various reasons, were misused by the employees of the society. The first respondent has considered the letters sent by various consumers to the IOC in the impugned order. It is stated that one Govindarajan, whose consumer No.1771 died on 12.06.2009 and the gas connection was not transferred in the name of any one. The daughter in law of deceased Govindarajan has stated this to the enquiry officer. It is pertinent to note that the grandson of deceased Govindarajan has asked the transfer of Gas connection in his name. Likewise several consumers have sent letters to IOC. In the impugned order it is held that the enquiry officer has not considered the various letters sent by the consumers to the IOC. The enquiry officer has simply taken into account the amount of loss mentioned by the IOC in his report under Section 81 of the Act. The first respondent has stated in his order that out of the 19 employees mentioned in the enquiry report, 3 were Sales Assistant, 4 persons are in the cadre of attender, 2 persons are clerk, 2 mechanic and the other 8 persons are tri cycle riders. The enquiry officer has not stated the role played by each of the employee of the society in the manipulation. The finding of the enquiry officer that all the employees of the***

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society are responsible for the loss is without any basis. It is not stated in the enquiry report that the domestic gas cylinders were distributed to commercial concerns. It is not stated in the enquiry report that the employees of the society have committed criminal breach of trust. It is also not stated that the acts of the employees of the society constitute wilful negligence. There must be some materials available to make the employees of the society liable for the loss caused to the IOC. The first respondent in the impugned order has considered each and every allegations against the employees in proper perspective and has come to a right conclusion and dropped surcharge proceedings. Therefore ethe order passed by the first respondent in RC.4081/09/SF1 dated 12.01.2011 is to be confirmed and the appeal is to be dismissed".

Earlier this Civil Revision Petition was filed as W.P.No.10125 of 2013 and was subsequently numbered as CRP.No.987 of 2022.

2. The dispute has arisen on account of the alleged loss sustained by the petitioner Co-operative Society for a sum of Rs.28,46,023/- during the period between April 2007 to June 2008. In this connection, proceedings under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 was initiated, pursuant to which show cause notice were issued against the private respondents herein under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 to recover the amount allegedly lost by the petitioner Society before the 2nd respondent/Deputy Registrar of Cooperative Societies, Chennai.

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3. The Deputy Registrar of Co-operative Societies, Chennai by an order dated 12.01.2011 bearing Reference RC.No.4081/09 SF-1 had dropped the surcharge proceedings against the private respondents. It is in this back ground the petitioner had approached the aforesaid Tribunal in CMA.No.26 of 2011 under Section 152 (1) of the Co-operative Societies Act, 1983. The challenge to the impugned order of the Special Tribunal for Co-operative Society Cases, Chennai upholding the order of the 2nd respondent dated 12.01.2011 referred supra is without any merits. The order of the Special Tribunal for Co-operative Society Cases, Chennai has clearly discussed the case based on the available records.

4. It is evident that the 1st respondent herein had dropped the surcharge proceedings against the private respondents herein, taking note of the fact that the Enquiry Officer has not stated the role played by each of the employees of the Society in the alleged manipulation of sale of gas cylinders.

5. The Tribunal has come to the conclusion that the finding given by the Enquiry Officer that all the employees of the Society were responsible for the loss was without any basis.

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6. The Tribunal has also concluded that the enquiry report states that the domestic gas cylinders were distributed to commercial concern, however it has not been stated in the enquiry report that the employees of the society have committed criminal breach of trust. The Tribunal has also come to the conclusion that the acts of the private respondents will not constitute wilful negligence.

6. Therefore the impugned order passed by the Special Tribunal for Co-operative Society Cases, Chennai dated 05.07.2012 does not merit any interference.

7. Accordingly, this Civil Revision Petition stands dismissed. No costs.

29-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
DPQ

To

1. The Deputy Registrar of Cooperative Societies
   (non credit)
   Kuralagam, Broadway, Chennai-108.

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C.SARAVANAN, J.

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