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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 44089 of 2026

CNR:{HCMA012541162026}

AND

WMP NO. 49451 OF 2026,WMP NO. 49454 OF 2026

J.Annadurai
S/o.Janakiraman,
No.2/1437A, Yerikkollai Madu, Atthimoor Village and post, polur taluk, Tiruvannamalai District - 606803.

..Petitioner(s)

Vs

1. The Deputy Registrar of Co-Operative Societies,
   Tiruvannamalai,
   Tiruvannamalai District.

2. The Co-Operative Sub Registrar/Special Officer,
   O/o.Deputy Registrar of Co-Operative Societies, Tiruvannamalai, Tiruvannamalai District.

3. The Management of H.H.630, kalasappakkam, primary agricultural Co-Operative Credit Society, Rep. by its Co-Operative Sub Registrar/Special Officer, kalasappakkam, polur taluk, Tiruvannamalai District.

..Respondent(s)

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of certiorari calling for the records relating to impugned FORM No.8 and No.9 notices dated 25.09.2026 under rule 126(2)(e) of the Tamilnadu Cooperative Societies Rules, 1988 issued by the 1st respondent herein and quash the same in so far as the petitioner concerned as being illegal, arbitrary, unconstitutional.

For Petitioner(s): Mr.Nagendra Prasath

For Respondent(s): Ms.Poornima
Additional Government Pleader for R1 & R2
Mr.A.R.Balaji,
Government Advocate
for R3

Order

This writ petition has been filed to stay the proceedings dated 25.09.2026 under rule 126(2)(e) of the Tamilnadu Cooperative Societies Rules, 1988 issued by the first respondent.

2. The background of the case is that surcharge proceedings were conducted against the petitioner under Section 87 of the Tamil Nadu Cooperative Societies Act, 1983. The allegation against the petitioner is that he misappropriated around two crores of rupees from the society's funds. The surcharge inquiry concluded against the petitioner via an order dated 20.01.2025, directing him to pay the said sum. Aggrieved by the surcharge

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order, the petitioner moved the statutory appellate forum by filing C.M.A. No. 7 of 2025 on the file of the Principal District Court (Cooperative Special Tribunal), Tiruvannamalai. Along with the main appeal, the petitioner preferred an interlocutory application, I.A. No. 1 of 2025, seeking an ad-interim stay of the operation of the surcharge proceedings pending the final disposal of the appeal.

3. The learned counsel for the petitioner submits that while the primary stay application (I.A. No. 1 of 2025) remains pending and undisposed of before the District Court, the 1st Respondent has bypassed the judicial process and issued concurrent Form No. 8 and Form No. 9 property attachment and execution sale notices. The impugned execution notices have scheduled the public auction of the petitioner's immovable property for 30.10.2026 (today). It is argued that bringing the property to auction while a statutory stay application is sub-judice, violates principal of natural justice.

4. In the light of the above, this Court directs that the scheduled public auction of the immovable property set for 30.10.2026, shall proceed as scheduled. However, the ultimate confirmation of the sale, registration and final outcome of the auction process shall remain strictly subject to the final outcome of I.A. No.1 of 2025 and any fresh stay application filed by the petitioner before the District Court. The District Court is directed to dispose of

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the interim application of the petitioner within a period of six weeks from the date of receipt of a copy of this order.

With the said directions, this writ petition is disposed of. Connected miscellaneous petitions are closed. Costs made easy.

K.SURENDER J.
28-10-2026

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

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To

1. The Deputy Registrar of Co-Operative Societies,
   Tiruvannamalai,
   Tiruvannamalai District.

2. The Co-Operative Sub Registrar/Special Officer,
   O/o.Deputy Registrar of Co-Operative Societies, Tiruvannamalai, Tiruvannamalai District.

3. The Management of H.H.630, kalasappakkam, primary agricultural Co-Operative Credit Society, Rep. by its Co-Operative Sub Registrar/Special Officer, kalasappakkam, polur taluk, Tiruvannamalai District.

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