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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 43507 of 2026
and
W.M.P.No.48819 of 2026

CNR: {HCMA012564812026}

M.Azhagammal
W/o. Thalapathi Ramkumar,
B.T. Assistant (Mathematics),
Government Higher Secondary School,
Rampakkam,
Villupuram Taluk and District - 605 105
Residing at No.41, 1st Street, Main Road,
Avvai Nagar, Karaimanickam,
Puducherry - 605 106.

..Petitioner(s)

Vs

1. The Joint Registrar of Co-operative Societies,
   Villupuram Region, Villupuram.

2. The Deputy Registrar of Co-operative Societies,
   Villupuram Region, Villupuram.

3. F.V. 107 Villupuram Educational District
   School Educational Employees Co-operative
   Thrift and Credit Society Ltd.,
   Rep. by its Special Officer/ President,
   2/ 1023 , V.G.P. Nagar (West),
   Vazhudhareddy, Villupuram - 605 602.

4. The Chief Educational Officer,
   Villupuram.

5. The Head Master and Pay Disbursing Officer
   Government Higher Secondary School,
   Rampakkam,
   Villupuram Taluk and District - 605 105.

..Respondent(s)

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Prayer: This writ petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 22.05.2026 and the reminder dated 17.10.2026, and consequently direct the respondents 1 to 3 to delete the name of the petitioner from the list of defaulters of the third respondent society in respect of Loan Account No.2414 (Membership No.10227), and to stop the issue of Demand Lists under Code No.100083 to the fifth respondent in so far as they relate to the petitioner.

For Petitioner(s): Mr.P.Sarveswaran

For Respondent(s): Ms.R.Poornima,
Additional Government Pleader for RR1 to 3

Mr.Sivalingam,
Government Advocate for RR 4 and 5

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Heard Mr.P.Sarveswaran, for the petitioner, Ms.R.Poornima, Additional Government Pleader for respondents 1 to 3 and Mr.Sivalingam, Government Advocate for respondents 4 and 5.

2. The petitioner is working as a B.T. Assistant (Mathematics) in the Government Higher Secondary School, Villupuram. She availed a loan in the year 2010 from the third respondent Society. The loan was for a sum of Rs.3,00,000/-. The loan amounts were recovered by way of deductions from her salary. Thereafter, a receipt was issued by the then Secretary of the third

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respondent Society stating the entire amounts stood discharged on 06.02.2014. Since her name continues to be on the record of defaulters, she gave a representation to the respondents on 22.05.2026 and followed it up with a reminder on 17.10.2026. Since there was no response, the present writ petition has been filed.

3. When the matter was taken up, Ms.R.Poornima, appearing for the respondents 1 to 3 reported that the Secretary who had issued the receipt enclosed at Page No.32 of the typed set of papers was one Kumar. The said Kumar had malversed the funds payable to the third respondent Society. Instead of depositing it with the Society's accounts, he had pocketed the same. This constrained the Society to initiate the surcharge proceedings against the said Kumar. The surcharge proceedings also ended in favour of the third respondent Society. She takes a very singular plea that as the appeal against the order of the surcharge is pending in C.M.A.No.22 of 2023 before the learned Principal District Judge, at Villupuram, the name of the petitioner has not been removed from the list of defaulters.

4. Mr.Sivalingam for respondents 4 and 5 reports that they are only formal parties and have no say in the *lis*.

5. The admitted facts are that, the petitioner had repaid the loan

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amounts due to the Society. The Society claims that the Secretary, who had been appointed by it, had pocketed the money. Innocent members cannot be let to suffer till the Secretary decides to conduct an appeal against the surcharge order. A member of the Society cannot be held responsible for respondents 1 to 3 appointing an untrustworthy person to occupy the Office of the Secretary. If the receipt produced by the petitioner is genuine, the respondents 1 to 3 shall remove the petitioner from the list of defaulters. Insofar as the non-payment of the amount by the then Secretary is concerned, it is for the respondents to workout their rights in the pending appeal.

6. With the above observation, this writ petition stands ordered. No costs. Consequently, connected miscellaneous petition stands closed.

23-10-2026

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

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