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C.R.P.No.2030 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.No.2030 of 2026

T.Jothi

... Petitioner

Vs.

Deputy Registrar of Cooperative Societies (Non-Credit),
Kuralagam, II Floor,
Parrys, Chennai – 600 108.
Presently at,
No.40/39, 4th Floor, Wavoo Mansion,
Rajaji Salai, Krishna Kovil Street,
Chennai – 01.

... Respondent

Prayer:

Petition filed under Article 227 of the Constitution of India praying to set aside the return order dated 22.10.2025 passed by the Tamil Nadu Co-operative Tribunal, Chennai, in the unnumbered reopen petition filed by the petitioner in C.M.A.No.48/2016, direct the Tribunal to take the reopen petition on file, to implead the second respondent - society as a party, restore the appeal, and dispose of the same on merits, in the light of the Hon'ble Supreme Court's order in SLP(C).No.8214 of 2023 and the Tribunal's subsequent judgment dated 30.04.2024 in C.M.A.No.49 of 2016 (Manivannan's case).

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For Petitioner : Mr.P.Anbarasan
For Respondents : Mr.M.Murali
Government Advocate

ORDER

The petitioner has filed this civil revision petition praying to set aside the return order dated 22.10.2025 passed by the Tamil Nadu Co-operative Tribunal, Chennai, in the unnumbered reopen petition filed by the petitioner in C.M.A.No.48/2016, direct the Tribunal to take the reopen petition on file, to implead the second respondent - society as a party, restore the appeal, and dispose of the same on merits, in the light of the Hon'ble Supreme Court's order in SLP(C).No.8214 of 2023 and the Tribunal's subsequent judgment dated 30.04.2024 in C.M.A.No.49 of 2016 (Manivannan's case).

2.The learned counsel appearing for the petitioner submitted that the petitioner was employed as a Pharmacist in the Park Town Cooperative Wholesale Stores Limited, Chennai [hereinafter referred to as 'society']. The Deputy Registrar (Non Credit) initiated surcharge proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983, against the petitioner and passed order dated 08.01.2016

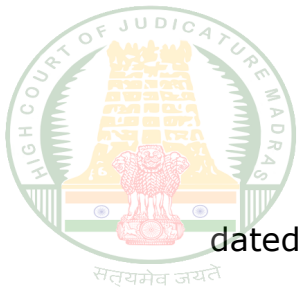


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directing recovery of Rs.6,59,389.56 from the petitioner and others and aggrieved by the same, the petitioner preferred appeal before the Co-operative Tribunal, Chennai in C.M.A.No.48 of 2016 under Section 152 (1) of the Act and the said appeal was allowed by order dated 17.08.2017 and challenging the said order, the society filed C.R.P.No.1935 of 2022 before this Court and this Court vide order dated 06.02.2023 allowed the said revision, pursuant to which, the petitioner filed petition to reopen C.M.A.No.48 of 2016 and the same was returned by way of docketal order and challenging the same, the petitioner has filed this revision petition.

3.The learned counsel appearing for the petitioner further submitted that C.R.P.No.1935 of 2022 filed by the society was allowed solely on the ground that the society was not impleaded as a party in C.M.A.No.48 of 2016, thereby, for fresh adjudication, the petitioner filed petition to reopen C.M.A.No.48 of 2016, however, the same was returned.

4.The learned Government Advocate appearing for the respondent submitted that already the order passed in C.M.A.No.48 of 2016 was set aside by this Court in C.R.P.No.1935 of 2022 vide order



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dated 06.02.2023 and hence there is no question of reopening C.M.A.No.48 of 2016 by the Tribunal, unless this Court grants such liberty. In the absence of such liberty, filing such petition before the Tribunal is not sustainable one and hence, the impugned order warrants no interference.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.The Deputy Registrar (Non Credit) initiated surcharge proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983, against the petitioner and passed order dated 08.01.2016 directing recovery of Rs.6,59,389.56 from the petitioner and others and aggrieved by the same, the petitioner preferred appeal before the Co-operative Tribunal, Chennai in C.M.A.No.48 of 2016 under Section 152 (1) of the Act and the said appeal was allowed by order dated 17.08.2017 and challenging the said order, the society filed C.R.P.No.1935 of 2022 before this Court and this Court vide order dated 06.02.2023 allowed the said revision, pursuant to which, the petitioner filed petition to reopen C.M.A.No.48 of 2016, however, the same was returned by way of docketal order.



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7. Admittedly, the order passed in C.M.A.No.48 of 2016 was set aside by this Court in C.R.P.No.1935 of 2022 vide order dated 06.02.2023 and hence there is no question of reopening C.M.A.No.48 of 2016 by the Tribunal, unless this Court grants such liberty. In the absence of such liberty, filing petition to reopen C.M.A.No.48 of 2016 before the Tribunal is not sustainable one and hence, the impugned order warrants no interference.

8. The civil revision petition is dismissed. No costs.

10.04.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1. The Tamil Nadu Co-operative Tribunal,
Chennai.
2. Deputy Registrar of Cooperative Societies (Non-Credit),
Kuralagam, II Floor,
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Presently at,
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