



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P(NPD).Nos.349 & 353 of 2026

AND

CMP No.1997 of 2026, C.M.P.No.2000 of 2026, CMP No.1977 of 2026,

C.R.P(NPD).No.349 of 2026

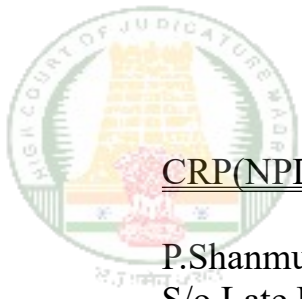
P.Shanmugavel
S/o Late Palanichamy,
No 5-A, 2nd Street, Ambedkar Nagar,
Nanmangalam, Chennai 600 117 ... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies (Credit)
Kuralagam Complex,
Chennai 600 108.

2.The Managing Director,
Chennai Central Co-operative Bank
Ltd., Chennai 600 108. ... Respondents

Prayer: Civil Revision Petition filed under Article 226 of Constitution of India, to set aside the judgment and decree dated 26.11.2025 passed in C.M.A.No.24 of 2019 on the file of the Learned Chief Judge, Court of Small Causes, Chennai namely the Special Tribunal for Co-operative Cases confirming the order passed in Na.Ka.No.8018/2007/SP-1, dated 07.10.2008 on the file of the Deputy Registrar, Co-operative Societies (Credit) Chennai - 600 108 namely the 1st respondent and allow the Civil Revision Petition.



CRP(NPD).No.353 of 2026

P.Shanmugavel
S/o Late Palanichamy,
No 5-A, 2nd Street,
Ambedkar Nagar, Nanmangalam,
Chennai - 600 117

... Petitioner

vs.

1. The Deputy Registrar of Co-operative Societies (Credit)
Kuralagam Complex,
Chennai 60 0108.

2.The Managing Director
Chennai Central Co-operative Bank
Ltd., Chennai 600 108.

... Respondents

Prayer: Civil Revision Petition filed under Article 226 of Constitution of India, to set aside the judgment and decree dated 26.11.2025 passed in C.M.A.No.23 of 2019 on the file of the Learned Chief Judge, Court of Small Causes, Chennai namely the Special Tribunal for Co-operative Cases confirming the order passed in Na.Ka.No.2535/2009/SP-1, dated 28.06.2010 on the file of the Deputy Registrar, Co-operative Societies (Credit) Chennai - 600 108 namely the 1st respondent and allow the Civil Revision Petition.

For Petitioner: Mr.S.Sadasharam
in both CRP's

For Respondents: Mr.B.Tamilnidhi,
in both CRP's Additional Government Pleader, for R1

Mr.B.Gandhi, for R2



COMMON ORDER

These two Civil Revision Petitions are connected and as such, are taken up and disposed of by this common order.

2. The Civil Revision Petitions are filed against the order of the Special Tribunal for Co-operative Cases, Chennai, dismissing the appeals filed by the petitioners in C.M.A.Nos.23 and 24 of 2019, which were filed against the orders of surcharge passed under Section 87 of the Tamil Nadu Co-operative Societies Act, 1984. It can be seen from the material papers filed along with the writ petitions, earlier the Tribunal had dismissed the above appeals. As against the same, both the petitioners have filed C.R.P.Nos.3768 and 3770 of 2024. By an order dated 14.11.2024, in paragraph No.6 of the judgment, it is concluded that it is reasonable to furnish a copy of the 81 Enquiry Report to the petitioners and to give an opportunity to them to contest the matter. However, after stating so, the matter was not remanded to the authority who passed Section 87 order but to the Appellate Tribunal to once again reconsider the appeals.

3. In view thereof, the contention now made is that the only course which was available to the Tribunal is to set aside the Section 87 surcharge order and remand the matter to the Original Authority so as to conduct an enquiry after furnishing of the Section 81 enquiry report.



4. The Civil Revision Petitions are resisted by the respondent Society.

The Learned Counsel for the respondent submits that only today he has entered appearance and he seeks further time to get instructions in the matter.

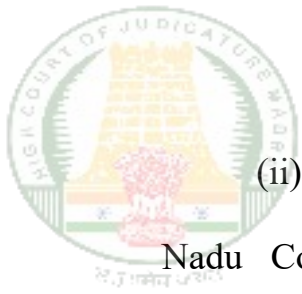
5. I have considered the oral submissions made on either side. It is not the case of the respondent Co-operative Society that any appeal has been filed as against the judgment dated 14.11.2024 made in C.R.P.Nos.3768 of 2024 etc.

6. In that view of the matter, when the *inter se* rights of the parties have been decided by the earlier judgment, the only course open to the respondent Society is to first furnish the Section 81 Enquiry Report and thereafter re-conduct the Section 87 enquiry and pass fresh orders in accordance with law.

7. In view thereof, it is not necessary to extend further time for the Learned Counsel for the respondent to get instructions or to file a counter.

8. Since limited relief is being granted to the petitioners based on the earlier judgment dated 14.11.2024, these Civil Revision Petitions are allowed on the following terms:

(i) The impugned orders dated 26.11.2025 passed in C.M.A.Nos.23 and 24 of 2019 stand set aside;



(ii) The impugned surcharge orders passed under Section 87 of the Tamil Nadu Co-operative Societies Act passed by the first respondent dated 28.06.2010 shall also stand set aside. However, the Section 87 enquiry shall continue. The report of the enquiry under Section 81 of the Act shall be furnished to both the petitioners within a period of two weeks, from the date of receipt of the web copy of the order. Thereafter, the enquiry shall be continued from the stage which is considered necessary. Any additional evidence have to be let in by both parties can be let in and the petitioners shall also cooperate for the early conclusion of the Section 87 enquiry. In any event, the Section 87 enquiry shall be concluded within a period of two months and final orders be passed.

9. Accordingly, these Civil Revision Petitions are allowed. There shall be order as to costs. Consequently, connected Miscellaneous Petitions are closed.

11-02-2026

Neutral Citation: Yes/No.
bsm

To,
1.The Deputy Registrar of Co-operative Societies (Credit)
Kuralagam Complex,
Chennai - 600 108.

2.The Managing Director
Chennai Central Co-operative Bank Ltd.,
Chennai 600 108.



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C.R.P(NPD).Nos.349 & 353 of 2



D.BHARATHA CHAKRAVARTHY, J.
bsm

C.R.P.(NPD).Nos.349 & 353 of 2026
& C.M.P.Nos.1997, 1977 & 2000 OF 2026,

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