



W.P(MD)No.23736 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.23736 of 2023 and
WMP(MD) Nos.19919 of 2023 & 23439 of 2024

P.Pichaimariappan

... Petitioner

Vs

1.The Deputy Registrar of Co-operative Societies,
O/o.The Deputy Registrar of Cooperative Societies,
Srivilliputhur Circle,
Virudhunagar District.

2.The Administrator,
SP.SPL 99 Kosukundu Primary Agricultural
Cooperative Credit Society,
Kosugundu,
Virudhunagar District.

3.The Administrator,
Perapatti Primary Agricultural Cooperative Credit Society,
Perapatti,
Virudhunagar District.

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned order of salary attachment



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passed by the 1st respondent vide E.P.No.5/2022-2023(1) dated 29.08.2023 and quash the same.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For R1 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Challenging the show cause notice issued as against this petitioner, by the Deputy Registrar of Co-operative Societies, Srivilliputhur, the petitioner has approached this Court.

2.The learned counsel appearing for the petitioner submits that the petitioner is working as Secretary in Perapatti Primary Agricultural Cooperative Credit Society, Virudhunagar. A surcharge proceedings was initiated as against him and a surcharge decree was also passed on 28.05.2020 that there was some irregularities in disbursement of drought relief fund. Challenging the same, the petitioner has filed an appeal before the Co-operative Tribunal/Principal District Judge, Virudhunagar at Srivilliputhur in



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C.M.A(CS) No.25 of 2022 and the same is pending. While so, the Deputy Registrar of Co-operative Societies, Virudhunagar District has issued the impugned order attaching the petitioner's salary, which is in violation of Rule 122 of the Tamil Nadu Co-operative Societies Rules.

3.The learned Additional Government Pleader appearing for the first respondent submits that the order impugned in this writ petition is only a show cause notice, calling upon the petitioner to offer his explanation as to why his salary should not be attached for the financial loss of Rs.42,22,400/- caused by him to the second respondent Society, in disbursement of drought relief to its members. He further submits that the petitioner is having an appeal remedy, under Section 152 of the Tamil Nadu Co-operative Societies Act, 1983, before the Principal District Court, Virudhunagar. Without exhausting the appeal remedy, the petitioner has approached this Court. Therefore, this writ petition is liable to be dismissed.



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4. This Court considered the rival submissions made and also perused the materials placed on record.

5.The order impugned in this writ petition is only a show cause notice. The Hon'ble Supreme Court in *Union of India Vs Kunisetty Satyanarayana*, reported in *2006 SCC Vol.II, 28*, has held that the charge memo or show cause notice shall not be interfered with by the orders of the Courts except lack of jurisdiction of the authority or if any malafides are attributed. The petitioner has not made out any such case.

6.In view of the above, this writ petition is closed. No costs. Consequently, connected Miscellaneous petitions are also closed.

02.02.2026

Index:Yes
Internet:Yes
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B.PUGALENDHI, J.

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W.P(MD)No.23736 of 2023 and
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