

In the Court of the Principal District and Sessions Judge,

Virudhunagar District at Srivilliputtur

Present:- Thiru.K.Jeyakumar, B.L.,L.L.M.,

Principal District and Sessions Judge,

Wednesday, this the 18th day of March' 2026

I.A.No.3/2026

in

C.M.A(CS).No.14/2025

S.Murugeswari

...Petitioner/Appellant.

/Vs./

1.The Deputy Registrar,

Office of the Deputy Registrar of Co-operative Societies,
Srivilliputtur.

2. The Joint Registrar,

Office of the Joint Registrar of Co-operative Societies,
Collectrate complex,
Virudhunagar.

3.The Joint Registrar/Managing Director,

District Central Co-operative Bank,
Virudhunagar.

4. The Administrator,

A 1243, Rajapalayam Municipal Superior Employees
Co-operative thrift & credit society,
Rajapalayam.

5.Sales Officer,

Office of the Deputy Registrar of Co-operative Societies,
Srivilliputtur.

6.Inspection Officer,

Office of the Deputy Registrar
of Co-operative Societies,
Srivilliputtur.

...Respondents/Respondents.

This petition coming before me for final hearing on 05.03.2026 in the presence of Tr.R.Selvaraj, Advocate for the petitioner and Tr.P.Muniyasamy, Government Pleader for the respondents and upon hearing the arguments of both side and perusing the records, this Court delivered the following,

ORDER

The petitioner has filed this petition under section 152(6) of the Tamil Nadu Co-operative Societies Act, seeking to receive the documents 1 to 30 filed alongwith this petition as additional documents on the side of the petitioner.

Petition averments in brief:-

2) The petitioner has filed main appeal seeking to set aside the order dated.02.07.2024 passed by the 1st respondent in surcharge proceedings No.3/2023-24, Na.Ka.No.374/2024/Sa.Pa, and the said appeal is pending before this Court. The arguments on the side of the petitioner have already been completed and the matter was posted for orders on 11.02.2026. At this stage, while searching for certain old documents available at the petitioner's residence for the purpose of making further submissions in the above appeal, it was found that some documents relating to the case had not been marked earlier. The documents filed alongwith this petition are material documents which would have a direct bearing on the decision of the case, and hence it is necessary that this Court may be pleased to accept the filing of the said

documents by the petitioner at this stage. So, she prayed to allow this petition.

Counter averments in brief:-

3) The respondents No.1, 2, 4 to 6 have filed counter disputing all the allegations and averments. The respondents denies all the allegations made in the petition except those are specifically admitted herein. The averments made in paragraph No.3 of the petition filed by the petitioner, stating that the arguments on the side of the petitioner were completed and that the matter was posted for orders on 11.02.2026, are true. The petitioner is bound to prove the averments stated in paragraphs 3 and 4 of the petition. It is submitted that the petitioner has not produced the above said documents during the surcharge proceedings conducted by the 1st respondent, and the present petition filed at this stage is not maintainable. The petitioner has filed this petition only with an intention to protract and delay the proceedings. If the said documents were really vital and relevant to the case of the petitioner, the same would have been produced during the surcharge proceedings itself. Therefore, the present petition filed after a considerable lapse of time is not maintainable in law. So, they prayed to dismiss the petition with costs.

4) This Court considered the rival submissions made on both side.

5) Now, the question before this Court is whether the petition has to be allowed or not?

Answer to question:-

6) The petitioner has filed this petition to receive the petition mentioned documents as additional evidence in the appeal. It is admitted that the petitioner was worked as Secretary in the R.A.362 Rajapalayam Municipal Scavengers Co-operative Thrift & Credit Society Ltd. On perusal of available records, it is found that the 1st respondent has passed surcharge order against the petitioner in S.C.No.03/2023-24 Na.Ka.374/2024/Sa.Pa on 02.07.2024. On perusal of said order, the petitioner was participated in the enquiry held before the 1st respondent and submitted her detailed explanation. After enquiry, the 1st respondent has passed the said order stating that due to the conduct of the petitioner and two others caused financial loss to the society to the tune of Rs.15,60,691/- and they are jointly and severally liable to pay the said amount along with 18% interest from the date of loss caused. Aggrieved by the said order, the petitioner has preferred main appeal in C.M.A.(CS) No.14/2025. The said appeal is pending before this Court.

7) In the meantime, the petitioner has filed this petition to receive the petition mentioned documents i.e.,circular No.3/2021 (RC.No.8821/2020/SA1) of the Registrar of co-operative Societies, Chennai, notice issued by the 1st respondent relating to the enquiry dated.18.01.2023, proceedings dated.18.05.2023 by the 1st respondent granted the 6th respondent an extension of one month, from 18.05.2023 to

17.06.2023, the surcharge proceedings initiated under section 87 by the 6th respondent, circular of the Registrar of Co-operative Societies in circular No.26/2022/Sa.Na.1 dated.26.10.2022, the report of the field officer dated 30.05.2022, circular No.15/2022/Sa.Na.1 dated.10.06.2022 issued by the Registrar of Co-operative Societies, circular No.17/2022/SA1 dated.19.07.2022 issued by the Registrar of Co-operative Societies, review petition No.1/2022 filed by the petitioner before the 2nd respondent, the resolution of the society dated.12.08.2020 relating to the payment of honorarium, Government Order No.(2D) 125 dated.26.10.2005, issued by the Co-operation, Food and Consumer Protection (CC1) Department, provisions relating to the payment of ex-gratia amount and bonus and some other documents.

8) On perusal of document No.14 i.e., review petition No.1/2022 was disposed by the 2nd respondent herein on 07.06.2022. In the said order, it has been specifically stated in page No.15 and 16 that no financial loss or irregularity had been proved to have been caused to the society and therefore the punishment imposed on the petitioner is not legally or justifiably sustainable. Accordingly, it has been held that the punishment awarded to the petitioner is not proper either in law or on facts. It has also been ordered that the petitioner shall be reinstated with continuity of service along with payment of salary and other attendant benefits. So, it is reveal that the surcharge order passed against the

petitioner by the 1st respondent is false according to the above said documents. Under these circumstances, the petitioner is able to prove the allegations stated in the surcharge order is false only that if the petition mentioned documents should be received as additional evidence in the appeal. So, the petitioner has filed this petition to receive the above said documents as additional evidence in the appeal. Failing which, the petitioner will be put into irreparable loss and great hardship. So, the reasons stated by the petitioner is found to be reasonable.

9) On the other hand, the respondents contended that the petitioner has not produced the above said documents during the surcharge proceedings conducted by the 1st respondent, and the present petition filed at this stage is not maintainable and she has filed this petition only with an intention to protract and delay the proceedings.

10) However, notwithstanding the above circumstances, in the interest of justice and to ensure a fair trial, opportunity shall be granted to both parties. So, in order to give a fair opportunity to the petitioner, this petition has to be allowed. Relevancy can be decided only after the documents were let in the evidence. So, in allowing this application, there would not be any prejudice. Hence, this petition deserves to be allowed and this question is answered accordingly.

11) In the result, this petition is allowed. No cost.

Dictated to the Steno-Typist, directly typed by him in the Computer, then corrected and pronounced by me in open Court on this the 18th day of March' 2026.

**Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.**

List of witnesses and documents on both side:- NIL.

**Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.**

Principal District Court
Srivilliputtur
I.A.3/2026
in
CMA (CS) 14/2025
Fair/Draft - ORDER
18.03.2026