



W.P.No.15070 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.15070 of 2025
and WMP.No.16981 of 2025

B.Chennamoorthy

...Petitioner

Vs.

1. The Deputy Registrar of
Cooperative Societies,
Krishnagiri Circle,
Krishnagiri District.

2. The Administrator,
D.K.137, Krishnagiri District Primary
Agricultural Cooperative Credit Society
Employees Cooperative Thrift and Credit
Society Ltd.,
Gandhi Nagar, 2nd cross
Opp.to Amman Gas Agency,
Krishnagiri District 635 001.

3. The Sub Registrar
Dharmapuri West,
S.V.Road,
Dharmapuri District.

... Respondents

PRAYER : Writ Miscellaneous Petition filed under Article 226 of
Constitution of India, praying to issue a writ of certiorarified mandamus to call



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for the records of the 1st respondent in ARC No.03 of 2024 dated 14.05.2024 and 23.05.2024 made under Section 167 r/w Rule 140 of the Tamil Nadu Cooperative Societies Act and Rules attaching the petitioner's immovable property in Survey No.304/1A1, Sub Division No.304/1A1A1A1 covered under Sale deed in document No.4693 of 2023 dated 08.09.2023 and to quash the same as illegal, without jurisdiction and against the principles of natural justice, since the impugned order is made in violation of Section 144 of the Tamil Nadu Cooperative Societies Act and the Division Bench decision of this Court in W.A.(MD).No.1511 of 2018 paragraphs 8 to 10 in The Management Vs S.Rathinam dated 11.12.2018 consequently, direct the 3rd respondent to remove the encumbrance made in respect of petitioner's immovable property in Survey No.304/1A1, Sub Division No.304/1A1A1A1 covered under sale deed in document no.4693 of 2023 dated 08.09.2023 on its file.

For Petitioner : Mr.S.Sathiaseelan

For Respondents : Mr.M.Muthusamy
Government Advocate

ORDER

The learned counsel for the petitioner submitted that the petitioner is totally a stranger to the proceedings initiated under Section 144 of the Tamil Nadu Cooperative Societies Act and there is a bar for recovery of debts from the strangers. The learned counsel further submitted that the issue is also



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covered by the Division Bench of this Court and therefore the attachment of the
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petitioner's property is illegal.

2. I find prima facie case is made out and therefore there shall be an order of interim stay of the operation of the 1st respondent's impugned conditional attachment order in ARC No.03/2024 dated 14.05.2024 & 23.05.2024 till 14.07.2025.

3. Post the matter on 14.07.2025.

19.06.2025

dpq

To

1. The Deputy Registrar of
Cooperative Societies,
Krishnagiri Circle,
Krishnagiri District.

2. The Administrator,
D.K.137, Krishnagiri District Primary
Agricultural Cooperative Credit Society
Employees Cooperative Thrift and Credit
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3. The Sub Registrar



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Dharmapuri West,
S.V.Road,
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N. MALA, J.

dpq

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