



WA(MD) No.2387 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Twentieth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.S.RAMESH
and
The HONOURABLE DR. JUSTICE A.D. MARIA CLETE

WA(MD) No.2387 of 2024
AND
CMP(MD) No.16488 of 2024

ADMINISTRATOR/JOINT REGISTRAR
TIRUCHIRAPPALLI DISTRICT CENTRAL CO-OPERATIVE BANK LIMITED,
HEAD OFFICE, NO.2,
FORT STATION ROAD,
TIRUCHIRAPALLI - 620 002. ... APPELLANT/1ST RESPONDENT

Vs

1 P.RAMAN ... 1ST RESPONDENT/PETITIONER

2 THE JOINT REGISTRAR,
O/O.THE JOINT REGISTRAR OF COOPERATIVE SOCIETIES,
GOVERNMENT MULTIPURPOSE BUILDING,
KAJAMALAI,
TIRUCHIRAPPALLI - 620 020. ... 2ND RESPONDENT/2ND RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order passed by the learned single Judge in WP(MD)No.16437/2024 dated 22.07.2024.



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Prayer in WP(MD). 16437/ 2024 :

To issue a Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned order dated 12.01.2024 in No.768/2022-23 N2 passed by the 1st respondent and quash the same and consequently direct the respondents to refund the amount of Rs.10,64,626/- which was deducted by the impugned order and to pay the same along with the statutory interest from 31.01.2024.

Prayer in CMP(MD). 16488/ 2024 :

To stay the operation of the impugned order passed in W.P.(MD). No.16437/2024 dated 22-07-2024 pending disposal of the writ appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.D.SHANMUGARAJA SETHUPATHI, Advocate for the petitioner and of MR.I.SUTHAKARAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

[Order of the Court was made by M.S.RAMESH, J.]

Mr.I.Suthakaran, learned counsel, takes notice for the first respondent.

2. Issue notice to the second respondent returnable by 18.12.2024. Private notice is also permitted.

3. It is the submission of the learned counsel for the appellant that the appellant/first respondent counsel was not given opportunity before final orders were passed in the Writ Petition, which was at the admission stage.

4. On perusal of the order passed in the Writ Petition, it is seen that certain adverse observations have been made against the appellant. In our prima facie view, the appellant ought to have been given an opportunity to file their response before such adverse observations are made.



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5. On this short ground, there shall be an order of interim stay till 18.12.2024.

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6. Post the matter on 18.12.2024.

sd/-
20/11/2024

/ TRUE COPY /

/12/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE ADMINISTRATOR/JOINT REGISTRAR
TIRUCHIRAPPALLI DISTRICT CENTRAL CO-OPERATIVE BANK LIMITED,
HEAD OFFICE, NO.2, FORT STATION ROAD,
TIRUCHIRAPALLI - 620 002.

2 THE JOINT REGISTRAR,
O/O.THE JOINT REGISTRAR OF COOPERATIVE SOCIETIES,
GOVERNMENT MULTIPURPOSE BUILDING,
KAJAMALAI, TIRUCHIRAPPALLI - 620 020.

+1. C.C. to MR.D.SHANMUGARAJA SETHUPATHI Advocate SR.No.14285[I]
Dated 20/11/2024

+1. C.C. to MR.I.SUTHAKARAN, Advocate SR.No.14416[I] Dated 22/11/2024

ORDER IN
WA(MD) No.2387 of 2024 AND
CMP(MD) No.16488 of 2024
Date :20/11/2024

RS/VR/SAR-(02.12.2024) 3P 5C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023