

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 8-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.10091 of 2015

and

M.P.No.1 of 2015

1.V.S.Kalichamy
2.K.Chinnasamy
3.P.D.Mohanraj
4.P.Sundaram

...Petitioners

vs

1. Deputy Registrar of Cooperative Societies
11 A, Market Road
Pollachi (Po)
2. Deputy Registrar of Cooperative Societies
Collectorate, Coimbatore 641 018.
3. Joint Registrar of Cooperative Societies
Coimbatore 641 038
4. Registrar of Cooperative Societies
Kilpauk, Chennai 600 010
- 5.M.Subbaiyan
- 6.R.Selvarajan
- 7.M.Chandrakala
- 8.V.Dhanalakshmi
- 9.V.Rajeswari
- 10.M.Jaganathan
- 11.E.Anusurya
- 12.U.R.Krishnan
- 13.N.Sivakumar
- 14.R.Damodharan
- 15.Joint Registrar/Administrator
K.1550, Tudiyalur Cooperative
Agricultural Services Society
Tudiyalur, Coimbatore

WEB COPY

16. Ramamurthy
Senior Inspector/Electoral Officer
Thudiyalur Cooperative Agricultural
Services Society
now Senior Inspector,
Office of the Deputy Registrar of
Cooperative Societies
Coimbatore

17. P .Gururaj
Election Officer
K.1550, Thudiyalur Cooperative
Agricultural Services Society
now Deputy Registrar/Administrator
Erode Agricultural Producers
Cooperative Marketing Society Ltd.,
Erode

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to dispose of the Arbitration Claim bearing ARC No.215/2014-15 Sa.Pa. before a specified date, in accordance with law and after providing sufficient opportunity to the petitioners to prove their case.

For Petitioners : Mr.P.Anbarasan
For Respondents : Mr.E.M.S.Natarajan
Government Advocate
for RR1 to 4 and
RR15 to 17

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioners claim that they are all members of Thudiyalur Cooperative Agricultural Services Society Ltd., Thudiyalur, Coimbatore District and the elected body has been superseded and now it is managed by the elected Board of Directors and the Joint Registrar of Cooperative Societies is working as it's Managing Director. The petitioners allege irregularities in the conduct of election and in this regard, a detailed representation was also sent on 21.9.2012, itself, to the Registrar of Cooperative Societies; but, a reply was given on 14.12.2012, by the Joint Registrar of Cooperative Societies stating that everything was in order and aggrieved by the same, the petitioners preferred a statutory arbitration claim challenging the election held to the Board of Directors, on 25.7.2013, to the first respondent, which has

been registered as ARC No.215/2014-15/Sa.Pa.

3.The grievance expressed by the petitioners, is that the term of Office Bearers is for three years and on account of non-disposal of the arbitration claim challenging the legality of the election, the arbitration claim itself would become infructuous and therefore, they came forward to file this writ petition.

4.Heard the submissions of Mr.P.Anbarasan, learned Counsel appearing for the petitioners, and also Mr.E.M.S.Natarajan, learned Government Advocate, who accepted notice for the respondents 1 to 4 and 15 to 17.

5.This Court, taking into consideration the limited scope of prayer sought for by the petitioners, and without entering upon the merits of their claim, directs the first respondent to dispose of the arbitration claim bearing ARC No.215/2014-15/Sa.Pa., in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after putting the concerned persons on notice. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

nsv

To

1. The Deputy Registrar of Cooperative Societies
11 A, Market Road, Pollachi (Po)
2. The Deputy Registrar of Cooperative Societies
Collectorate, Coimbatore 641 018.
3. The Joint Registrar of Cooperative Societies
Coimbatore 641 038
4. The Registrar of Cooperative Societies
Kilpauk, Chennai 600 010

1 CC to Mr.P.Anbarasan, Advocate SR.No. 19282
1 CC to the Government Pleader, SR.No. 19679

W.P.No.10091 of 2015

RSK (CO)
PSI (17.04.2015)