

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12205 of 2015

K.Rangasamy

... Petitioner

vs.

1.The Joint Registrar of Co-operative Society
Vellore-9.

2.The Deputy Registrar of Co-operative Society
Shakthi Nagar, Tirupattur.

3.The Tahsildar
Vaniyambadi Taluk,
Vaniyambadi.

4.The Secretary
C-2143, Andiyappanur Primary
Agricultural Co-operative Society Ltd
Andiyappanur
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents 1 to 3 to consider the representation dated 31.10.2014.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.L.P.Shanmuga Sundaram

for R1, R2 and R4

Special Government Pleader

Mr.M.Digvijaya Pandian for R3

Additional Government Pleader

O R D E R

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

2.The petitioner submitted representation dated 31.10.2014 stating among other things that he has served in Indian Army for more than 20 years and thereafter settled in Andiyappanur and after the

demise of his father, he and his brother were absolute owners of agricultural lands in Survey No.377/2 admeasuring to the extent of 2.15 acres apart from other properties and the petitioner further state that no division has been effected by metes and bounds. It is further stated that his brother executed a Settlement Deed dated 11.08.1969 in favour of the then President, Andiyappanur village no.C-2143, Andiyappanur Multipurpose Co-operative society in respect of 50 cents of land in Survey No.377/2 for the specific purpose for the use of the society and since the lands have not been divided by metes and bounds his brother has not right to execute the settlement deed. The petitioner aggrieved by the fact of the alleged encroachment made by the society inspite of the specific boundaries given in the settlement deed and also with regard to the construction of water tank and pipeline, submitted a detailed representation dated 31.10.2014 to the respondents and since he has not been favoured with any response, came forward to file this writ petition.

3.Heard the submissions of Mr.R.Subramanian, learned counsel appearing for the petitioner, Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader who accepts notice for the respondents 1, 2 and 4 and Mr.M.Digvijaya Pandian, learned Additional Government Pleader who accepts notice for the third respondent.

4.This Court without going into the merits of the representation dated 31.10.2014, directs the third respondent to consider and dispose of the petitioner's representation dated dated 31.10.2014, after putting on notice to the fourth respondent and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as to the fourth respondent.

5.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Joint Registrar of Co-operative Society
Vellore-9.

2.The Deputy Registrar of Co-operative Society
Shakthi Nagar, Tirupattur.

3.The Tahsildar
Vaniyambadi Taluk,
Vaniyambadi.

4.The Secretary
C-2143, Andiyappanur Primary
Agricultural Co-operative Society Ltd
Andiyappanur
Vellore District.

1 cc to Mr. R.Subramanian,Advocate, SR.No.23067/15

1 cc to Mr.L.P.Shanmuga Sundaram ,Advocate, SR.No.23015/15

1 cc to Government Pleader,Sr.No.22933/15

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cnr(co)
pmk.18.5.2015



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