

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2015

CORAM

THE HON'BLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.20210 of 2015

and

M.P.No.1 of 2015

Eraiyr Women Milk Producers
Co-op.Society (Ltd) No.TNT No.1364
rep.by its Secretary,
Eraiyr & Post, Ulunturpettai (Tk),
Villipuram District.

...Petitioner

Vs.

1. The Deputy Registrar of
Co-Operative Societies (Dairy),
Villipuram.
2. The General Manager,
Aavin, Villipuram District
Milk Producers Co-operative Union,
Trichy Road, Villipuram.

...Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus forbearing respondents from forming and recognizing any new milk producers society within the operational limit of the existing petitioner's society as Eraiyr Women Milk Producers Co-Op.Society (Ltd) No.TNT No.1364 contemplated under section 9(d) of the Tamil Nadu Co-Op.Society Act, 1983.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.R.Bala Ramesh,
Additional Government Pleader

ORDER

The petitioner is a Milk Producers' Co-Operative Society, which was registered on 27.08.1996. The society is procuring 5000 Ltrs of milk per day. More over, the society has Bulk Milk Cooler (BMC) and its capacity is 5000 Ltrs. The society have 9 employees. The entire village residents are the members of the said society. However, some private persons are procuring milk from the petitioner members within the operational limit of the society and they are trying to form a new Milk Producers' Society without following the provisions of Section 9(d) of the Tamil Nadu Co-operative Societies Act, 1983.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The learned counsel for the respondents would submit that as on date, no application has been received from any body seeking registration of Milk Producers' Society and therefore, there is no question of registration of any Milk Producers' Society. In case, if any application is received, the same will be registered following the procedures contemplated under section 9(d) of the Tamil Nadu Co-Operative Societies Act, 1983 by getting "no objection certificate" from the petitioners' society.

4. In view of that, the respondents are directed not to register any Milk Producers' Co-Operative Society in the petitioner's village without following the procedures as contemplated under law. Accordingly, the Writ Petition is disposed of. The connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

asvm

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To

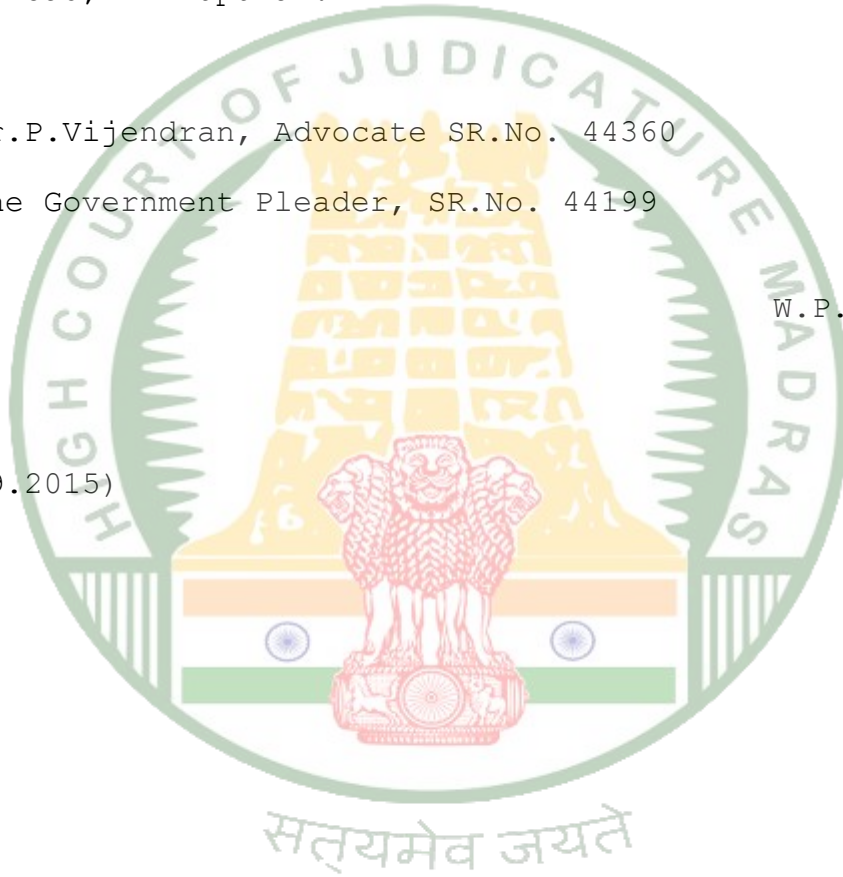
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1 CC to Mr.P.Vijendran, Advocate SR.No. 44360

1 CC to the Government Pleader, SR.No. 44199

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GR (CO)
PSI (10.09.2015)



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