

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.27310 of 2015

G.Raman

... Petitioner

Vs.

1.Tamil Nadu State Co-operative Societies
Election Commission,
No.273, Anna Salai, Teynampet,
Chennai - 18.

2.The State Election Officer/The
Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai - 10.

3.The Deputy Registrar of Co-operative Societies,
District Election Officer,
Tirukovilur,
Villupuram District.

4.The President,
Soolankuruchi Primary Agricultural Co-operative
Credit Societies, Sankarapuram Taluk,
Villupuram District.

... Respondents

(Cause title amended as per order of this
court dated 01.09.2015)

Prayer :- Writ petition filed under Article 226 of the constitution of India praying for a writ of mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 27.02.2014 in accordance with law within the time stipulated time.

For Petitioner : Mr.S.Mohamed Ansar
For Respondents : Mr.M.S.Palanichamy for R1

Mrs.T.P.Savitha,
Government Advocate (Co.op)
for R2 to R4.

O R D E R

The petitioner has wrongly described the name of the respondents in the cause title as - 1.The State Election Commissioner, Election Commission Office, Teynampet, Chennai - 8, 2. The State Election Officer/The Registrar, Election Commission Office, Kilpauk, Chennai - 18, 3. The Assistant Registrar, Tamil Nadu Primary Co-operative Society, Thirukovilur, Villupuram District and 4. The Sub-Registrar/Field Officer, Tamil Nadu Co-operative Society, Thiyagathurugam Union, Sankarapuram Taluk, Villupuram District. Therefore, as per the request made by the learned counsel for the respondents 2 to 4, this Court, suo moto amends the cause title as - 1.Tamil Nadu State Co-operative Societies, Election Commission, No.273, Anna Salai, Teynampet, Chennai - 18, 2.The State Election Officer/The Registrar of Co-operative Societies, No.170, E.V.R. Periyar High Road, Kilpauk, Chennai - 10, 3. The Deputy Registrar of Co-operative Societies, District Election Officer, Tirukovilur, Villupuram District and 4. The President, Soolankuruchi Primary Agricultural Co-operative Credit Societies, Sankarapuram Taluk, Villupuram District.

2. The petitioner seeks a writ of mandamus directing the fourth respondent to act as per the communication dated 24.03.2014 issued by the third respondent directing the fourth respondent to conduct enquiry and send the report with regard to the election of directors of the Soolankuruchi Primary Agriculture Co-operative Society, Sankarapuram Taluk. He contends that due to certain malpractices, the relatives of the staff of the Co-operative Society has been elected by unlawful means. Therefore, the petitioner gave representation to the third respondent on 16.04.2013 and the same and the same was rejected by the third respondent on 20.01.2014. Therefore, the petitioner again gave a representation on 27.03.2014 to the first and second respondents. The second respondent has forwarded the same to the third respondent who in turn forwarded it to the fourth respondent on 24.03.2014. directing the fourth

respondent to conduct an enquiry and send the report. Thereafter, the fourth respondent has not acted upon that and therefore the petitioner is before this court.

3. Heard Mr.S.Mohamed Ansar, learned counsel appearing for the petitioner, Mr.M.S.Palanichamy, learned counsel appearing for the first respondent and Mrs.T.P.Savitha, Government Advocate appearing for the respondents 2 to 4.

4. The learned Government Advocate appearing for the respondents 2 to 4 would submit that the issue can be raised before the appropriate authority under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

5. In view of the above said submission, the petitioner is directed to file appropriate petition before the Registrar of Co-operative Societies under Section 90 of the Tamil Nadu Co-operative Societies Act. On filing of such petition by the petitioner, the Registrar, Co-operative Societies is directed to entertain the petition and proceed in accordance with law and take a decision.

6. The writ petition is disposed of with above direction.
No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rgr

To

1.Tamil Nadu State Co-operative Societies
Election Commission,
No.273, Anna Salai, Teynampet,
Chennai - 18.

2.The State Election Officer/The
Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
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3.The Deputy Registrar of Co-operative Societies,
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Tirukovilur,
Villupuram District.

4.The President,
Soolankuruchi Primary Agricultural Co-operative
Credit Societies, Sankarapuram Taluk,
Villupuram District.

+lcc to Mr.S.Mohamed Ansar, Advocate, S.R.No.46671
+lcc to the Government Pleader, S.R.No.47289

W.P.No.27310 of 2015

KM(CO)
CA(29/09/2015)



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