

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.35488 of 2015

G.Gunasekaran

...Petitioner

Vs

1. The Deputy Registrar of Coop. Societies,
Vellore Circle, Vellore,
Vellore District.

2. K.C.Raman,
Director,
Vellore District Central Coop. Bank,
Officers Line,
Vellore, Vellore District

...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 12.05.2015 within a stipulated time.

For Petitioner :Mr.C.Prakasam

For Respondents :Mr.D.Venkatachalam
Government Advocate

ORDER

Heard Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.D.Venkatachalam, learned Government Advocate appearing for the respondents 1 to 3. With the consent of either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2.The Petitioner seeks direction upon the 1st respondent to consider and pass orders on merits by disposing of the representation dated 12.05.2015. In the said representation, the petitioner has made request to disqualify the 2nd respondent in terms of the provisions of the Tamilnadu Cooperative Society Act on the ground that the 2nd respondent is holding the post of Director in the Vellore District, Central Co-operative Bank. The representation given to the 1st respondent has not been considered, therefore, the petitioner forwarded the representations to the Election Commissioner for Co-operative elections. The Election Commissioner, in turn has forwarded the petition filed by the writ petitioner to the Joint Registrar of Co-operative Society, Chennai, who has to take appropriate action. Yet there has been no action initiated by the 1st respondent, who is the competent authority, the petitioner suspects that the 1st respondent is purposely withholding the matter without deciding the issue.

3. The learned Government Advocate accepts notice on behalf of the 1st respondent and submitted that the 1st respondent would consider the petitioner's representation, conduct enquiry and pass orders on merits and in accordance with law and requests that reasonable time may be granted to the 1st respondent to conclude the proceedings.

In the light of the above, without going into the allegations made by the petitioner as against the 2nd respondent and taking note of the fact that already Election Commissioner has forwarded the papers to the Joint Registrar for appropriate action, it is appropriate for the 1st respondent to take action in the matter after hearing all the parties and after issuing notice to the petitioner and 2nd respondent, conduct enquiry pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of a order.

This Writ Petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(CO)

True Copy

Sub Assistant Registrar

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To

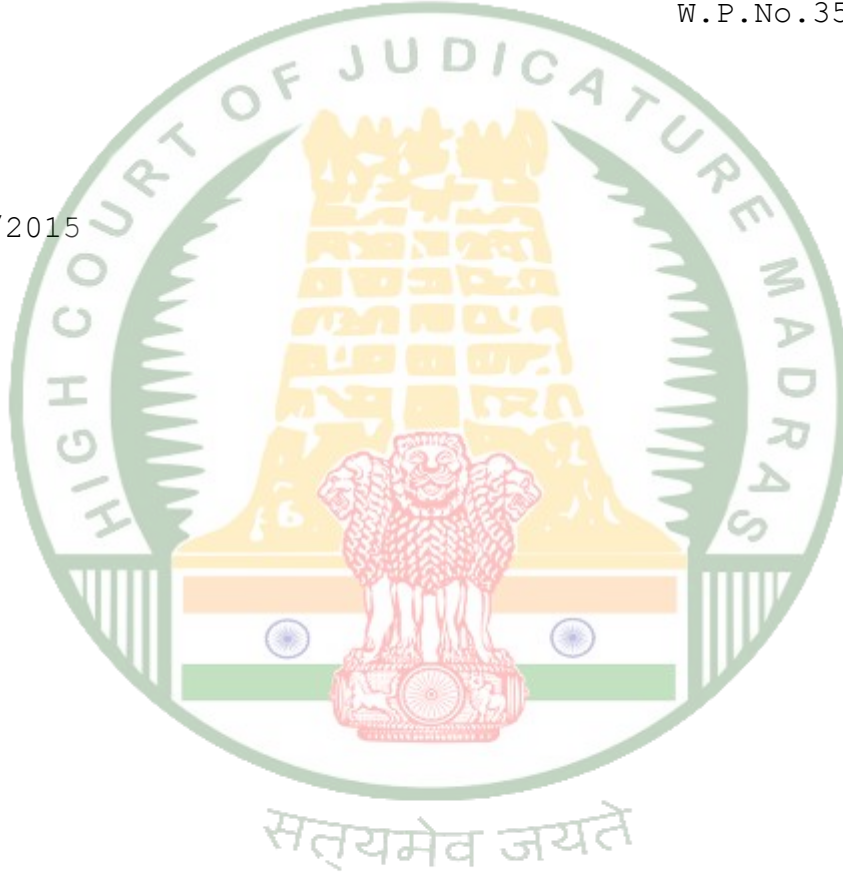
1. The Deputy Registrar of Coop. Societies,
Vellore Circle, Vellore,
Vellore District.

+lcc to The Government Pleader, Sr.60746
+lcc to Mr.C.Prakasam, Advocate Sr.60678

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