

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.8607 of 2015 &
M.P.No.1 of 2015

1.S.N.Parthiban
2.J.Ramakrishnan

.. Petitioners

vs.

1. The District Collector,
Uthagamandalam - 643 001
Nilgiris District.
2. The Deputy Registrar of Co-operative Societies,
Uthagamandalam - 643 001
Nilgiris District.
3. The Joint Registrar of Co-operative Societies,
Uthagamandalam - 643 001
Nilgiris District.
4. S.Murthy @ Bheeman
5. The Secretary,
Vice President,
J-127, Sholur Agricultural Co-operative
Credit Society,
Sholur Village,
Nilgiris District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st and 2nd respondents herein to initiate appropriate legal action against the 4th and 5th respondents herein as per the complaint made by the petitioners on 16.3.2015 in accordance with law.

For Petitioner : Mr.J.Selvarajan
For Respondent : Mr.D.Venkatachalam
Govt. Advocate (CO.Op.)

ORDER

The petitioners have filed the above writ petition to issue a Writ of Mandamus, directing the respondents 1 and 2 herein

to initiate appropriate legal action against the respondents 4 and 5 as per the complaint made by them on 16.3.2015 in accordance with law.

2. According to the petitioners, they are the Directors of J-127 Sholur Agricultural Co-operative Credit Society, Sholur Village, Nilgiris District. The second petitioner is the Vice President of the Society. For the maintenance and renovation of the building complex of Sholur PACC Society, a sum of Rs.3,00,000/- has been allotted by the State Government under the Integrated Rural Development Project and for utilising the said fund, the society has not passed any resolution. Further, according to the petitioners, they along with 8 other Directors of the Society, had paid the entire loan amounts due to the Society without any balance on 14.2.2015. Thereafter, they approached the 5th respondent and requested him to consider their loan applications. According to the petitioners, the 5th respondent had informed them that he would consider the applications only if they withdraw the no confidence motion, which was initiated against the 4th respondent. Therefore, the petitioners have given a representation dated 16.03.2015 to the second respondent, requesting to take appropriate action against the respondents 4 and 5. Since the second respondent has not taken any action on the representation dated 16.3.2015, the petitioners have filed the above writ petition.

3. Mr.D.Venkatachalam, learned Government Advocate (CO.Op.) takes notice for the respondents 1 to 3 and submitted that the second respondent may be directed to consider and pass orders on the representation dated 16.03.2015, given by the petitioners, within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the second respondent to consider the petitioners' representation dated 16.03.2015 and pass orders, on merits and in accordance with law, on or before 30.03.2015.

With this observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-II)

Dt:25/3/2015

True Copy

Sub-Assistant Registrar

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To

1. The District Collector,
Uthagamandalam - 643 001
Nilgiris District.
 2. The Deputy Registrar of Co-operative Societies,
Uthagamandalam - 643 001
Nilgiris District.
 3. The Joint Registrar of Co-operative Societies,
Uthagamandalam - 643 001
Nilgiris District.
 4. The Secretary,
Vice President,
J-127, Sholur Agricultural Co-operative
Credit Society,
Sholur Village,
Nilgiris District.
- + 1 cc to Mr.J.Selvarajan, Advocate SR 16724

lrs(co)
prk25/3



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