

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 09-12-2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION Nos.12746 TO 12750 OF 2003

- 1.Special Officer,
Kancheepuram Central Co-operative Bank,
Kancheepuram Town & District.
- 2.The General Manager,
Kancheepuram Central Co-operative Bank,
Kancheepuram Town & District.

...Petitioner in all WPS

-vs-

- | | |
|-------------------|----------------------------------|
| V.S.Panneerselvam | ...1st Respondent in WP.12746/03 |
| G.V.Ganjendran | ...1st Respondent in WP.12747/03 |
| V.S.Iyyappan | ...1st Respondent in WP.12748/03 |
| V.S.Kumaravel | ...1st Respondent in WP.12749/03 |
| V.S.Janakiraman | ...1st Respondent in WP.12750/03 |

- 2.The Secretary,
Ammaiyarkuppam Primary Agricultural
Co-operative Bank Ltd.,
J.J.623, Ammaiarkuppam Village & Post,
Pallipattu Taluk,
Tiruvallur District.

- 3.The Special Officer,
Ammaiyarkuppam Primary Agricultural
Co-operative Bank Ltd.,
J.J.623, Ammaiarkuppam Village & Post,
Pallipattu Taluk,
Tiruvallur District.

- 4.The Joint Registrar,
Co-operative Societies,
Jayanagar, Tiruvallur.

- 5.The Deputy Registrar,
Co-operative Societies,
12, KC Chetty Street,
Tiruttani.

6.The District Consumer Disputes
Redressal Forum, Tiruvallur.

..Respondents 2 to 6
in all WPS.

For petitioners : Mr.R.Balasubramaniam

For respondents 2 to 5 : Ms.T.P.Savitha,
Govt.Advocate (Co-op.)

COMMON ORDER

The petitioners are a Central Co-operative Bank, and the prayer sought for in these Writ Petitions is, to issue a writ of prohibition, prohibiting the District Consumer Disputes Redressal Forum, Tiruvallur, sixth respondent herein, from hearing and disposing of Complaint Nos.47 of 2002, 10 of 2003, 46 of 2002, 41 of 2002 and 40 of 2002 respectively.

2. The legal issue involved in these Writ Petitions is squarely covered by a decision of the Hon'ble Supreme Court in the case of Secretary, Thirumurugan Co-operative Agricultural Credit Society v. Lalitha (dead) through L.Rs.and Others, AIR 2004 SUPREME COURT 448, in which the Hon'ble Supreme Court has held that the jurisdiction of the Consumer Forum to decide the dispute is not ousted, in view of the remedy of arbitration provided under Section 90 or 156 of the Tamil Nadu Co-operative Societies Act,1983.

3. In the light of the decision of the Hon'ble Apex Court in the case of Secretary, Thirumurugan Co-operative Agricultural Credit Society, cited supra, these Writ Petitions are to be necessarily dismissed. However, learned Government Advocate appearing for respondents 4 and 5, on instructions, would submit that the entire dues payable to the first respondent in all these Writ Petitions have already been settled and there is nothing to be adjudicated further.

4. Under the circumstances, these Writ Petitions are closed. This order can be produced before the Consumer Forum, which shall take note of the settlement and pass appropriate orders in that regard. No costs. Consequently, the connected W.M.P.Nos.15972 to 15976 of 2003 are also closed.

Sd/
ASSISTANT REGISTRAR(CCC)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

To,

- 1.The Secretary,
Ammaiyarkuppam Primary Agricultural
Co-operative Bank Ltd.,
J.J.623, Ammaiarkuppam Village & Post,
Pallipattu Taluk, Tiruvallur District.
 - 2.The Special Officer,
Ammaiyarkuppam Primary Agricultural
Co-operative Bank Ltd.,
J.J.623, Ammaiarkuppam Village & Post,
Pallipattu Taluk,
Tiruvallur District.
 - 3.The Joint Registrar,
Co-operative Societies,
Jayanagar, Tiruvallur.
 - 4.The Deputy Registrar,
Co-operative Societies,
12, KC Chetty Street,
Tiruttani.
 - 5.The District Consumer Disputes
Redressal Forum, Tiruvallur.
- +1 CC to MR.R.Balasubramaniam Advocate. SR.NO. 66414
+1 CC to Govt.Pleader. SR.NO. 66254
W.P.Nos12746 TO 12750/2003

CO-SK
JD 28/12/2015

सत्यमेव जयते

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