

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. Nos.15218 to 15220 of 2003 &
W.P.M.P.Nos. 19103, 19105 & 19107 OF 2003

- 1 SPECIAL OFFICER KANCHEEPURAM
CENTRAL COOPERATIVE BANK.
KANCHEEPURAM TOWN & DISTRICT.
- 2 THE GENERAL MANAGER
KANCHEEPURAM CENTRAL COOPERATE BANK
KANCHEEPURAM TOWN AND DISTRICT.
... Petitioners in all W.Ps.
- Vs
- 1 G.V.VAJJIRAVELU ..R1 in W.P.No.15218 of 2003
2. G.MURUGAN .. R1 in W.P.No.15219 of 2003
3. S.A.NAGARATHINAM .. R1 in W.P.No.15220 of 2003
- 4 THE SECRETARY
AMMAIYARKUPPAM PRIMARY AGRI CO OP BANK LTD.
J.J.623, AMMAIYARKUPPAM VILLAGE & POST
PALLIPATTU TALUK, TIRUVALLUR DISTRICT.
.. R2 in all the three W.Ps.
- 5 THE SPECIAL OFFICER
AMMAIYARKUPPAM PRIMARY AGRICULTURAL
CO-OPERATIVE BANK LTD.,
J.J. 623, AMMAIYARKUPPAM VILLAGE & POST
PALLIPAT TALUK , TIRUVALLUR DIST.
.. R3 in all the three W.Ps.
- 6 THE JOINT REGISTRAR
CO OPERATIVE SOCIETIES
JAYANAGAR, TIRUVALLUR.
.. R4 in all the three W.Ps.
- 7 THE DEPUTY REGISTRAR
CO OPERATIVE SOCIETIES
12 KC CHEETY STREET
TIRUTTANI. .. R5 in all the three W.Ps.

8 THE DISTRICT CONSUMER DISPUTES
REDRESSAL FORUM
TIRUVALLUR.

.. R6 in all the three W.Ps.

COMMON PRAYER : Petitions filed Under Article 226 of the Constitution of India praying to issue Writ of Prohibition, prohibiting the District Consumer Disputes Redressal Forum, Tiruvallur, the 6th respondent herein, from hearing and disposing of the Complaint Nos.13 of 2003, 45 of 2002 and 17 at 2003 respectively on its file.

For Petitioners : Mr.R.Balasubramaniam

For Respondents :No appearance for R1 to R3
(In al W.Ps)

Mrs.T.P.Savitha -R4 & 5
Government Advocate

C O M M O N O R D E R

Heard Mr.R.Balasubramaniam, learned Counsel appearing for the petitioners and Mrs.T.P.Savitha, learned Government Advocate for fourth respondent in all W.Ps.

2.The prayer sought for in these writ petitions to prohibit the Consumer Disputes Redressal Forum from further against the petitioner Society on the ground that they are registered under the Tamil nadu Co-operative Societies Act.

3.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.

4. 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.

5. Accordingly, these Writ Petitions are disposed of. 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 Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-III)

True Copy

Sub Assistant Registrar

To

- 1 THE SECRETARY
AMMAIYARKUPPAM PRIMARY AGRIC CO OP BANK LTD.
J.J.623, AMMAIYARKUPPAM VILLAGE & POST
PALLIPATTU TALUK, TIRUVALLUR DISTRICT.
- 2 THE SPECIAL OFFICER
AMMAIYARKUPPAM PRIMARY AGRICULTURAL
CO-OPERATIVE BANK LTD.,
J.J. 623, AMMAIYARKUPPAM VILLAGE & POST
PALLIPATTU TALUK, TIRUVALLUR DIST.
- 3 THE JOINT REGISTRAR
CO OPERATIVE SOCIETIES
JAYANAGAR, TIRUVALLUR.
- 4 THE DEPUTY REGISTRAR
CO OPERATIVE SOCIETIES
12 KC CHEETTY STREET
TIRUTTANI.
- 5 THE DISTRICT CONSUMER DISPUTES
REDRESSAL FORUM
TIRUVALLUR.

+1cc to The Government Pleader sr.68289

W.P. Nos.15218 to 15220 of 2003

ppa[co]
srg 04/01/2016