

In the High Court of Judicature at Madras

Dated : 06.1.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.140 of 2016

A.Rajendran, President, Kothamangalam
Fisheries Cooperative Society,
Kothamangalam, Paramathivelur Taluk,
Namakkal District.

...Petitioner

Vs

1.The Registrar of Cooperative Societies/
Director of Fisheries, DMS Compound,
Teynampet, Chennai-18.

2.The Deputy Director of Fisheries,
No.5/596, Ovvaiyar Street,
Opp. : Collectorate, Dharmapuri.

3.The Assistant Director of Fisheries,
Mettur Dam, Salem District.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
respondents to consider and pass orders on merits by disposing
the written representation made by the petitioner on 10.12.2015
within a time stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.D.Venkatachalam, GA

ORDER

Mr.D.Venkatachalam, learned Government Advocate takes
notice for the respondents. By consent, the writ petition itself
is taken up for final disposal.

2. The petitioner, who is an elected president of a
cooperative society, has filed this writ petition seeking a
direction to the respondents to consider his representation
dated 10.12.2015. In the said representation, the petitioner has
sought to set aside the alleged communication of the Vice
President of the society dated 7.12.2015, in and by which, the
petitioner was removed from the post of President without
following due procedure.

3. It is not known as to how the Vice President of a society could pass such an order. An elected President of a society cannot be removed from the elected office without following due procedure contemplated under the Tamil Nadu Cooperative Societies Act, 1988 and the Rules framed thereunder. This aspect of the matter has to be considered by the respondents and appropriate action should be taken on the petitioner's representation dated 10.12.2015.

4. In view of the above, the writ petition is disposed of with a direction to the third respondent to consider the petitioner's representation dated 10.12.2015 on merits and after issuing notice to all concerned, pass a speaking order in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Registrar of Cooperative Societies/Director of Fisheries, Chennai-18.

2.The Deputy Director of Fisheries, Opp. : Collectorate, Dharmapuri.

3.The Assistant Director of Fisheries, Mettur Dam, Salem District.

+1 cc to Mr.C.Prakasam Advocate sr.758

+1 cc to Mr.D.Venkatachalam Advocate sr.972

WP.No.140 of 2016

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