

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.1648 of 2016 & WMP.Nos.1419 to 1421/2016

Bharat Heavy Electricals Employees Cooperative  
Bank Ltd., rep. by its Managing Director  
B Sector, Kailasapuram,  
Trichy 620014. .. Petitioner

V.

- 1.The Registrar of Cooperative Societies  
170, Periyar EVR Salai, Kilpauk, Chennai-10.
- 2.Deputy Registrar of Cooperative Societies  
Tiruchirappalli Zone, Trichy.
- 3.The Joint Registrar [Law and Training]  
Public Information Officer  
Office of Registrar of Cooperative Societies  
170, Periyar EVR Salai, Kilpauk,  
Chennai-10. .. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for records comprised in Na.Ka.95879/2013/Ni.A.1 dated 18.01.2014 of the 3<sup>rd</sup> respondent and the clarificatory order in Na.Ka.47993/2015/Ni.A.1 dated 13.07.2015 of the 1<sup>st</sup> respondent and the consequential order of the 2<sup>nd</sup> respondent in letter dated 12.11.2015 in Me.A.Na.Ka.1619/2015/Na.Va and quash the same as being arbitrary, illegal and contrary to law.

For Petitioner .. Mr.K.Prabhakar

For Respondents.. Mr.D.Venkatachalam,  
Standing Counsel

ORDER

Heard the learned counsel for the petitioner and Mr.D.Venkatachalam, learned Standing Counsel accepting notice for the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The legal issue involved in this writ petition is as to whether a Co-operative Society, registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983, is a public authority within the meaning of Section 2(h) of the Right to Information Act, 2005. The legal issue is covered by the decision of the First Bench of this Court in the case of The Public Information Officer and others V. Registrar, Tamil Nadu Information Commissioner & Others reported in 2015 (4) CTC 105.

3.The learned Standing Counsel for the respondents agrees that the issue is covered by the decision of the First Bench of this Court.

4.Hence, the Writ Petition is allowed and the impugned order is quashed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Sgl

fTo

1.The Registrar of Cooperative Societies  
170, Periyar EVR Salai, Kilpauk, Chennai-10.

2.The Deputy Registrar of Cooperative Societies  
Tiruchirappalli Zone, Trichy.

3.The Joint Registrar [Law and Training]  
Public Information Officer  
Office of Registrar of Cooperative Societies  
170, Periyar EVR Salai, Kilpauk, Chennai-10.

+1 cc to M/s.K.Prabhakar, Advocate, sr.2986  
+1 cc to Government Pleader, sr.3221

W.P.No.1648 of 2016

ad co  
kra 28.01.2016