

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.28417 of 2015

and

M.P.Nos.1 & 2 of 2015

S.Ganesan

.. Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.

2.The Chairman,
Villupuram District Consumer,
Co-operative Wholesale Stores Ltd.,
Villupuram.

3.Assistant Register/Managing Director,
Villupuram District Consumer
Co-operative Wholesale Stores Ltd.,
Villupuram.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the return memo dated 12.08.2014 having reference A.Thi.Mu.No.5267/2014 S.P. On the file of the 1st respondent and quash the same and consequently direct the 1st respondent to entertain the revision under Section 153 of the Tamil Nadu Co-operative Societies Act, 1963 and adjudicate the same within a stipulated period.

For Petitioner : Mr.R.Abdul Mubeen

For 1st Respondent : Ms.T.P.Savitha
Government Advocate
(Co-operative)

For Respondents : Mr.L.P.Shanmuga Sundaram
2 and 3

O R D E R

Mr.T.P.Savitha, learned Government Advocate takes notice for the first respondent and Mr.L.P.Shanmuga Sundaram, learned counsel takes notice for respondents 2 and 3.

2. Aggrieved over the order passed by the third respondent, the petitioner preferred a revision before the first respondent on 08.08.2014. However, the revision petition was returned by the first respondent stating that the petitioner has to prefer an appeal before the second respondent.

3. Mr.R.Abdul Mubeen, learned counsel for the petitioner submitted that as per Section 153 of the Tamil Nadu Co-operative Societies Act, the revision lies only before the first respondent and on that score, the impugned order is liable to be set aside, which is not seriously disputed by the learned counsel for the respondents.

4. This Court finds force in the contention of the learned counsel for the petitioner.

5. In such view of the matter, the impugned order is set aside. The first respondent is directed to entertain the revision filed by the petitioner dated 08.08.2014 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

cla/kkd

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.

2.The Chairman,
Villupuram District Consumer,
Co-operative Wholesale Stores Ltd.,
Villupuram.

3.Assistant Register/Managing Director,
Villupuram District Consumer
Co-operative Wholesale Stores Ltd.,
Villupuram.

+ 2 ccs to Mr.R.Abdul Mubeen, Advocate Sr 164

+ 1 cc to Mr.L.P.Shanmuga Sundaram, Advocate Sr 316

+ 1 cc to The Govt.Pleader, 636

AK/CO
KR/28/1/16

W.P.No.28417 of 2015
and
M.P.No.1 of 2015



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