

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.40773 of 2015

K.Elangovan

... Petitioner

Vs

1. The Registrar

O/o the Registrar of Co-operative Societies
Kilpauk, Chennai 600 010.

2. V.S.Ponnusamy

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 17.07.2015.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.R.Bala Ramesh
Additional Government Pleader

O R D E R

Heard Mr.M.Velmurugan, learned Counsel appearing for the petitioners and Mr.R.Bala Ramesh, learned Additional Government Pleader, accepting notice for the respondents and with their consent the Writ Petition is taken up for final disposal.

2.The petitioner claims to be a member of the Modern Engineers Construction Co-operative Society Ltd., has filed this Writ Petition for a direction to the first respondent to take action against the second respondent, stating that he is a defaulter and therefore, he is liable to be disqualified from his Primary Membership of the Society.

3.It is not clear as to whether there is Elected Board functioning in the said society or the affairs of the society are under the control of the Special Officer and appointed by the Government. That apart, the proper authority to consider any grievance in this regard could be the Deputy Registrar of Co-operative Societies of the concerned region and not the first respondent.

4.Therefore, if the petitioner of any other Members have got any grievance in the manner in which the Society is function or on the ground that no action has been taken against a person who is a defaulter, then the petitioner has to move the concerned Deputy Registrar of Co-operative Societies and the writ petition of the present nature cannot be entertained.

5.In the light of the above, while rejecting the prayer sought for in the writ petition, liberty is granted to the petitioner to move the concerned Deputy Registrar of Co-operative Societies. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rpa

To

The Registrar
O/o the Registrar of Co-operative Societies
Kilpauk, Chennai 600 010.

+1cc to Mr.M.Velmurugan, Advocate, S.R.No.289
+1cc to the Government Pleader, S.R.No.278

CA(CO)
CA(11/01/2016)

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