

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.42869 of 2016

1. PE 63 Erode Circle Noonmeal Scheme
and Child Development Project
Employees Cooperative T & C Society Ltd.,
represented by its Secretary D.Sabarinathan
(aged 39 years)
16/2 S.K.Sami Building
Vairam (St) Erode-4
 2. EG 52 Anthiyur Nutritious Meal Scheme
Employees Cooperative Thrift &
Credit Society Ltd.,
represented by its Secretary L.Thangavel
(aged 46 years)
Anthiyur Anna Salai, Thavitupalayam
Anthiyur
 3. EG 53 Gobi and Sathy Taluk Rural
Development Local Bodies Department Employees
and Nutritious Meal Scheme Employees
Cooperative Thrift and Credit Society Ltd.,
represented by its Secretary K.Selvarajan
(aged 43 years)
Gobichettipalayam
- .. Petitioners

-vs-

1. The Joint Registrar of Cooperative Societies
O/o Joint Registrar of Cooperative Society Complex
Mohankumaramangalam Salai
Soorampatti
Erode 638 009
2. The Deputy Registrar of Cooperative Society
O/o Dy.Registrar of Cooperative Society Complex
Mohankumaramangalam Salai
Soorampatti
Erode 638 009

3. The Secretary

EE 55 Erode District Anganwadi Employees and
Assistants Cooperative Thrift and Credit Society
Erode, Erode District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 & 2 to consider the claim of the petitioners as per Section 9(1)(d) of the Tamil Nadu Cooperative Societies Act, 1983 in regard to area of operation of the third respondent society on the basis of the representation dated 18.10.2016 on merits and within a time to be stipulated by this Hon'ble Court.

For Petitioners :: Mr.K.Subramonian

ORDER

All the three petitioners have come to this Court seeking a writ of mandamus to direct the Joint Registrar of Cooperative Societies, Soorampatti and the Deputy Registrar of Cooperative Societies, Soorampatti, Erode, the respondents 1 & 2 herein to consider their claim as per Section 9(1)(d) of the Tamil Nadu Cooperative Societies Act, 1983 in regard to the area of operation of the third respondent society on the basis of the representation dated 18.10.2016 on merits.

2. Heard the learned counsel for the petitioners.

3. The claim of all the petitioners shows that the first petitioner society was confined with the area of operation within the jurisdiction of Perundurai, Kangeyam and Dharapuram Taluks in Erode District; the second petitioner society was confined with the area of operation within the jurisdiction of Anthiyur and Bhavani Taluks in Erode District and the third petitioner society was confined with the area of operation within the jurisdiction of Gobichettipalayam, Sathyamangalam and Thalavady Taluks in Erode District. While so, the respondents 1 & 2 have given overlapping jurisdiction in favour of the third respondent society, as a result, lot of chaos and confusion would arise, if the representation given by the petitioners is not favourably considered.

4. This Court is not inclined to appreciate the arguments advanced by the learned counsel for the petitioners. The reason is that when the areas of operation given to all the three petitioners' societies have been clearly demarcated to cover Perundurai, Kangeyam and Dharapuram Taluks; Anthiyur and Bhavani Taluks and Gobichettipalayam, Sathyamangalam and Thalavady Taluks respectively, the petitioners are unable to explain

before this Court as to what is the area of operation or jurisdiction given to the third respondent society to say that the conferred area of operation or jurisdiction in favour of the third respondent society is overlapping with any one of the petitioners' societies. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, refusing the prayer sought for by all the three petitioners, the writ petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss
To

1. The Joint Registrar of Cooperative Societies
O/o Joint Registrar of Cooperative Society Complex
Mohankumaramangalam Salai
Soorampatti
Erode 638 009
2. The Deputy Registrar of Cooperative Society
O/o Dy.Registrar of Cooperative Society Complex
Mohankumaramangalam Salai
Soorampatti
Erode 638 009

+1cc to M/s.T.Girija, Advocate, S.R.No.72543
+1cc to Mr.K.Subramanian, Advocate, S.R.No.42461
+1cc to the Government Pleader, S.R.No.72634

NM(CO)
BB(29/12/2016)

सत्यमेव जयते

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