



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2016

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.24019 of 2016

Karthikeyan

... Petitioner

Vs.

1.The Registrar of Cooperative Societies,
Chennai.

2.The District Differently Abled Welfare Officer,
Office of the District Collectorate,
Madurai.

3.The District Collector,
Madurai.

4.The Joint Registrar of Cooperative Societies,
Lady Doak College Salai,
Madurai - 2.

5.The Deputy Registrar of Cooperative Societies,
Usilampatty at Thirumangalam,
Thirumangal Taluk and Post,
Madurai District.

6.The President,
No.A-1596, Peraiyur Primary Agricultural Cooperative Credit
Society,
Peraiyur Post and Taluk,
Madurai District.

7.The Vice President,
No.A-1596, Peraiyur Primary Agriculture Cooperative Credit
Society,
Peraiyur Post and Taluk,
Madurai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th respondent to allot newly constructed shop in S.F.No.92/5B of Peraiyur Village, Madurai District to the differently abled persons in accordance



For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.A.K.Baskarapandian, Spl.G.P. for R1to5

O R D E R

This Writ petition has been filed to issue a Writ of Mandamus, directing the 6th respondent to allot newly constructed shop in S.F.No.92/5B at Peraiyur Village, Madurai District to differently abled persons.

2.Mr.A.K.Baskarapandian, learned Special Government Pleader takes notice for the respondents 1 to 5. By consent, the Writ petition is taken up for final disposal.

3.The case of the petitioner is that he is physically disabled person and his total disability is 55 percent. The 6th respondent namely, No.A-1596, Peraiyur Primary Agriculture Cooperative Credit Society construed a commercial complex in S.F.No.92/5B at Peraiyur Village, wherein there are 19 shops.

4.The grievance of the petitioner is that in-spite of allotting the shop by way of conducting public auction, the 6th respondent allotted some of the shops to the relatives of erstwhile Secretary of the Society. Further, one Udhaya Rani has filed a Writ petition in W.P.(MD)No.5321 of 2016 before this Court, for taking action against the respondents 6 and 7 for illegal allotment of the shops. The said Writ petition is pending. The petitioner preferred an application before the 3rd respondent to allot a shop under differently abled person. The 3rd respondent forwarded the said application to the 6th respondent for further action. However, no action has been taken so far. Hence, the petitioner is before this Court with the present Writ petition.

5.Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 5.

6.Since serious allegations have been levelled against the erstwhile Secretary of the Society, this Court is inclined to give a direction to the 1st respondent to look into the matter and take a decision after hearing necessary parties.

7.Accordingly, the Writ petition is disposed of, directing the 1st respondent to take necessary action for allotting shops in accordance with law and pass appropriate orders within a period of 3 months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/



To

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Madurai District.

+1 cc to Special Government Pleader, SR.No. 81402

W.P. (MD) No. 24019 of 2016
15.12.2016

nbj

MKV-SKN-SAR 3/18.4.2017/3P-7C