

HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.04.2017

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.10130 of 2017 and
W.M.P.No.11114 of 2014

Mr.Santhanaraman

.. Petitioner

Vs.

1. The Registrar,
Co-operative Societies
Registrar Office,
N.V.N.Natarajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk,
Chennai 600 010
2. The Additional Registrar of
Co-op Societies (MPD),
N.V.N.Natarajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk,
Chennai 600 010
3. The Deputy Registrar of
Co-Operative Societies,
Office of the Deputy Registrar
Co-operative Societies,
Kasukara Chetty Street,
Mannargudi,
Thiruvarur District
4. T-1344, Needamangalam Primary,
Agricultural Co-operative
Credit Society Limited,
Rep.by its President,
Needamangalam,
Thiruvarur District

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.04.2017, and thereby direct the 3rd respondent to furnish the copy of the Notice under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 against the 4th respondent society by the 3rd respondent, to the petitioner.

For Petitioner : M/s.B.Gopalakrishnan

For R1 to R4 : Mr.V.Selvaraj,
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.04.2017, and thereby direct the 3rd respondent to furnish the copy of the Notice under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 against the 4th respondent society by the 3rd respondent, to the petitioner.

2. According to the petitioner, on 15.04.2017, he has given a detailed representation to the respondents stating that on 31.10.2015, the Field Officer namely Mr.Panner Selvam came to the 4th respondent society and verified the stock of the fertilizer and jewellery and made endorsement in the 4th respondent society Account Book that today (31.10.2015) the enquiry is commenced under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 and he was appointed as an enquiry officer. Later, the said Mr.Panner Selvam came again to the 4th respondent society and erased the endorsement made on 31.10.2015 with whitener. But the copy of the notice was not served to the fourth respondent. Therefore, the petitioner, being the Secretary of the fourth respondent society, seeks the notice under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 issued by the third respondent society against the fourth respondent society.

3. When the matter is posted today for hearing, the Additional Government Pleader submits that he has not received any instruction from the second respondent.

4. In view of the limited scope of the prayer sought for in this Writ Petition, the second respondent is directed to consider the petitioner's representation dated 15.04.2017 on merits and in accordance with law, within the period of two weeks from the date of receipt of a copy of this Order. The third respondent is also directed to furnish copy of the notice under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 to the petitioner, as sought for in the representation. The petitioner is also permitted to enclose a copy of the said notice along with this Order copy.

5. The Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar,
Co-operative Societies Registrar Office,
N.V.N.Natarajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk,
Chennai 600 010
 2. The Additional Registrar of Co-op Societies (MPD),
N.V.N.Natarajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk,
Chennai 600 010
 3. The Deputy Registrar of Co-Operative Societies,
Office of the Deputy Registrar Co-operative Societies,
Kasukara Chetty Street,
Mannargudi,
Thiruvavur District सत्यमेव जयते
 4. T-1344, Needamangalam Primary,
Agricultural Co-operative Credit Society Limited,
Rep.by its President,
Needamangalam, Thiruvavur District
- + 1 cc to Mr.B. Gopalakrishnan, Advocate Sr.25170
+ 1 cc to M/s. V. Selvaraj, Advocate Sr.25873

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RSI (CO)
EU 28.4.17