

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2017

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 8736 of 2017

B.Kandasamy

... Petitioner

Vs

1. The Registrar,
O/o.Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies,
Villupuram District.
3. The Deputy Registrar of Co-operative Societies,
Tindivanam Circle, Jayapuram
Tindivanam, Villupuram District.
4. The President,
Nolambur Primary Agricultural Co-operative
Credit Society,
Nolambur and Post,
Tindivanam Taluk,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 1st respondent from permitting the President to continue as the President as per order of removal of the President in Na.Ka.No.5774/2015/SaPA dated 07.06.2016 passed by the 2nd respondent.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is to forbear the first respondent from permitting the President to continue as the President as per order of removal of the President in Na.Ka.No.5774/2015/SaPA dated 07.06.2016 passed by the 2nd respondent.

2. The petitioner, being a Secretary of Nolambur Primary Agricultural Co-operative Credit Society, has filed this writ petition with the above prayer.

3. The learned Additional Government Pleader appearing on behalf of the respondents brought to the knowledge of this Court the order passed in W.P. No.21033 of 2016 on 18th April 2017 and the operative portion of that order is extracted as under :

"3. In the light of the submission made by the learned counsel appearing for the petitioner, it is open to the petitioner to file an appeal before the appellate authority, within a period of four weeks from the date of receipt of a copy of this order, if it is so advised. In the mean time, interim order already granted by this Court on 21st June 2016 is extended for further period of four weeks.

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

4. The learned Additional Government Pleader appearing for the respondents informed this Court that by virtue of the order passed by this Court, the President is functioning as the "President" in the said Society. While so, the prayer as such sought for in this writ petition to forbear the president cannot be maintained.

5. Such being the factum of this case, no further consideration on the grounds raised in this writ petition shall be undertaken. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Registrar,
O/o.Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai - 600 010.

2. The Joint Registrar of Co-operative Societies,
Villupuram District.
3. The Deputy Registrar of Co-operative Societies,
Tindivanam Circle, Jayapuram
Tindivanam, Villupuram District.
4. The President,
Nolambur Primary Agricultural Co-operative
Credit Society,
Nolambur and Post,
Tindivanam Taluk,
Villupuram District.

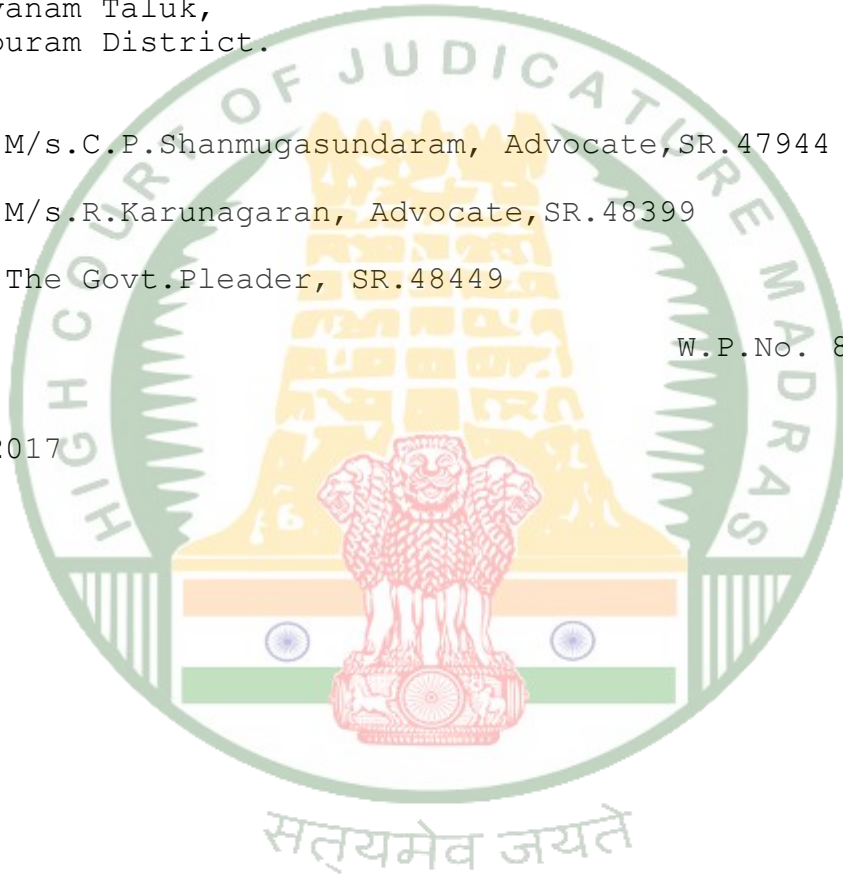
+ 1 cc to M/s.C.P.Shanmugasundaram, Advocate,SR.47944

+ 1 cc to M/s.R.Karunagaran, Advocate,SR.48399

+ 1 cc to The Govt.Pleader, SR.48449

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NRI (CO)
NR 27/07/2017



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