

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.06.2017
CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 6757 of 2017
W.M.P.Nos.7312 & 7313 of 2017

D.Janarthanan

.. Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Villupuram Circle, Villupuram,
Villupuram District.
2. The Co-operative Sub Registrar / Field Officer,
Kozhiyanur, Villupuram District.
3. The Secretary,
Thiruvamathur Primary Agricultural,
Co-operative Credit Society,
Thiruvamathur Post,
Villupuram Taluk & District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 3rd respondent in his proceedings No.Nil, dated 10.03.2017 and quash the same.

For Petitioner : M/s.C.Prakasam
For Respondents : Ms.T.Girija, Govt. Advocate

ORDER

When the matter is taken up for hearing today, the learned Government Advocate appearing on behalf of the respondents, on the basis of written instructions, submitted that at the time of meeting, out of 11 Directors in the third respondent-Society (Thiruvamathur Primary Agricultural Co-operative Credit Society), only 10 Directors were present, out of which 7 Directors made "No Confidence Motion" against the petitioner for acting as the President of the said Society.

2. Learned Government Advocate further stated that in the meeting there is no proper quorum as required under the procedures as contemplated under Rule 62 (2) of the Tamil Nadu Co-operative Societies Rules. In support of his contentions, the

learned Government Advocate also relied upon the decision of this Court in the case of Thanga Kathiravan vs. The Deputy Registrar of Co-operative Societies, Nagapattinam, reported in 2015 (2) CTC 52, as per which, at least 8 Directors, out of 11 Directors, should vote for "No Confidence Motion" against the petitioner.

3. In the light of the above submission made by the learned Government Advocate, the impugned proceedings No.Nil, dated 10.03.2017 is quashed. Accordingly, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Deputy Registrar of Co-operative Societies,
Villupuram Circle, Villupuram,
Villupuram District.
2. The Co-operative Sub Registrar / Field Officer,
Kozhiyanur, Villupuram District.
3. The Secretary,
Thiruvamathur Primary Agricultural,
Co-operative Credit Society,
Thiruvamathur Post,
Villupuram Taluk & District.

+1 cc to M/s.C.Prakasam Advocate sr 44888
+1 cc to the Government Pleader sr 45303

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