

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.11425 of 2017
and W.M.P.No.12379 of 2017

A.Theerthagiri,
President,
S-5558 Vadugapatti Primary Agricultural
Co-operative Bank Limited,
Vadugapatti Village,
H.Echampadi Post Harur Taluk,
Dharmapuri District.

... Petitioner

Vs.

- 1 The Registrar
Tamil Nadu State Co-operative Society
Registrar Office EVR Salai Kilpauk
Chennai.
- 2 The Deputy Registrar
Dharmapuri District Co-operative Society
Dharmapuri.
- 3 The Joint Registrar
Dharmapuri District Co-operative Society
Dharmapuri.
- 4 The Sub Registrar/Special
Officer Field Officer, Harur Circle Harur
Dharmapuri District.
- 5 The Secretary
S-5558 Vadugapatti Primary Agricultural Co-
operative Credit Society Vadugapatti
Village H.Echampadi Post Harur Taluk
Dharmapuri District.
- 6 Mrs.Sivasakthi Vice President
/Director S-5558 Vadugapatti Primary
Agricultural Co-operative Credit Society
Vadugapatti Village H.Echampadi Post Harur
Tk Dharmapuri Dt.

- 7 V.Sandhiya, Executive
Committee Member/Director, S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society,
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 8 P.Vengan, Executive
Committee Member/Director S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society,
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 9 M.Dhanasekaran, Executive
Committee Member/Director, S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village, H.Echampadi Post, Harur
Tk Dharmapuri Dt.
- 10 M.Madhu, Executive
Committee Member/Director, S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society,
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 11 V.Marimuthu, Executive
Committee Member/Director S-5558, Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 12 S.Vivekanandan, Executive
Committee Member/Director, S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 13 M.Kokila, Executive
Committee Member/Director S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village, H.Echampadi Post, Harur
Tk, Dharmapuri Dt.
- 14 V.Sathiya Executive
Committee Member/Director S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village H.Echampadi Post Harur
Tk Dharmapuri Dt.

15 N.Palanisamy Executive
Committee Member/Director S-5558 Vadugapatti
Primary Agri.Co-op.Credit Society
Vadugapatti Village H.Echampadi Post Harur
Tk Dharmapuri Dt. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records relating to the impugned notice of the second respondent in Na.Ka.2468/ 2017/ Sapa2 dated 24.04.2017 and quash the same.

For Petitioner : Mr.A.Ilayaperumal
For Respondents 1to4 : Mrs.T.Girija, G.A.
For Respondent No.5 : Mr.L.P.Shanmugasundaram, Spl Gp
For Respondents 7to15 : Mr.K.Thiruvengadam
For Respondent No.6 : No appearance

O R D E R

The learned counsel for the petitioner would submit that without furnishing copy of the requisition letter and without following the procedure contemplated under Rule 62(3) of the Tamil Nadu Co-operative and Societies Rules, 1988, the impugned show cause notice has been issued to convene the meeting on 5.5.2017. Therefore, the impugned show cause notice has been challenged in the present writ petition and interim order has also been granted by this Court.

2 According to the learned Government Advocate, copy of the requisition letter, dated 24.4.2017 has been served on the petitioner.

3 In the light of the interim order granted by this Court, no meeting was convened on 5.5.2017. Taking into consideration of the said fact, the petitioner has challenged the the impugned show cause notice, dated 24.4.2017 before this Court and disputed the receipt of the said requisition letter from the respondent. The petitioner has to approach the appropriate authority namely, Joint Registrar of Co-operative Societies, under Section 153 of Tamil Nadu Co-operative Societies Act.

Accordingly, the writ petition is dismissed with the

above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Registrar
Tamil Nadu State Co-operative Society
Registrar Office EVR Salai Kilpauk
Chennai.
- 2 The Deputy Registrar
Dharmapuri District Co-operative Society
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- 5 The Secretary
S-5558 Vadugapatti Primary Agricultural Co-
operative Credit Society Vadugapatti
Village H.Echampadi Post Harur Taluk
Dharmapuri District.

+1cc to Mr.K.Thiruvengadam, Advocate, S.R.No.47850
+1cc to Mr.A.Ilayaperumal, Advocate, S.R.No.47951
+1cc to the Government Pleader, S.R.No.48425

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SSI (CO)
CS/26/07/17