

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2017

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

WP.No.22425 of 2017

A.R.Rajasekaran

..Petitioner

Vs.

The Deputy Registrar of
Coop. Societies (Housing),
O/o.D.R.(Housing),
No.873, First Floor,
Kangeyanallore Salai,
Gandhi Nagar East,
Vellore - 632 006.

..Respondent

PRAYER:

The Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to consider the representation dated 31.07.2017 and conduct election of society for electing members to administrate the society, malafide administration of members of respondents.

For Petitioner : Mr.P.M.Bhakthavachalam

For Respondent : Mr.V.Selvaraj,
Additional Government Pleader

ORDER:

The matter was taken up for admission before this Court on 23.08.2017 and posted today for getting instructions from the respondent.

2. The learned Additional Government Pleader represented that on instruction from this Court on 23.08.2017, a letter was communicated to the respondent in this regard, but no response has been received from the respondent.

3. From the affidavit filed by the petitioner, it is seen that the petitioner is a member of the C.M.C. and Hospital Employees Cooperative Building Society Ltd, C.2495, Vellore. When the society was formed in the year 1969, some lands

situated at Christian Medical College, Vellore were purchased. During 1974-77, some members of the society were allotted plots in the said lands. On 31.10.1996, eight persons were nominated as Executive Members but not by election. Out of the eight persons, three persons were non-members of the society. Several petitions were made to the administration authorities regarding irregularity in the execution of sale deed document for registration of lands to the non-members of the society. But no action was taken. Such malpractices are made only because of non conduction of election to the Board of members of the society. Moreover, Mr.K.A.Sampath Rajan used his dominant position as President of the Building society for unfair advantage of him by swindling the funds of the society. Eventhough the society was revived since 08.11.2011, after the appointment of the Special Officer as well, he cannot hold the society as long. The petitioner has given a representation dated 31.07.2017 to the respondent in this regard. But, even after the acknowledgment of the same, no action has been taken in this regard. Hence, the petitioner has filed this writ petition to direct the respondent to consider the representation dated 31.07.2017.

4. In view of receiving no response from the respondent, without going into the merits of the case, this court is inclined to direct the respondent to consider the petitioner's representation dated 31.07.2017 on merits and in accordance with law and pass orders as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this Order.

5. It is needless to say that the petitioner shall also furnish a copy of the said representation along with this order copy.

6. The writ petition is disposed of with above directions. No costs.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

lok

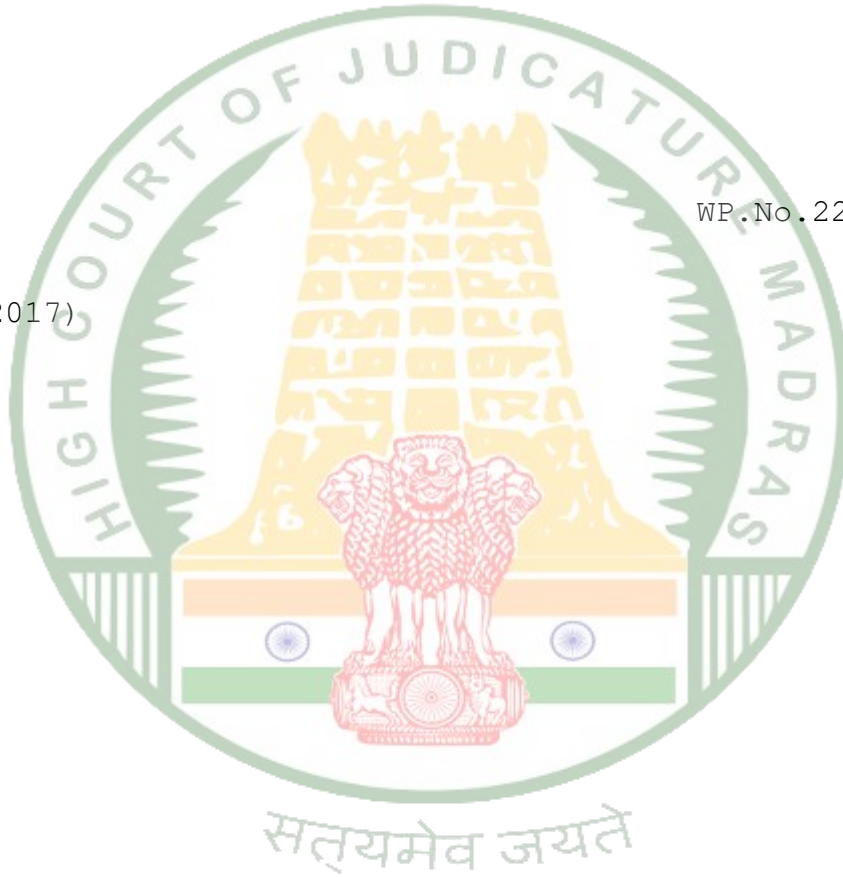
To

The Deputy Registrar of
Coop. Societies(Housing),
O/o.D.R.(Housing),
No.873, First Floor,
Kangeyanallore Salai,
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Vellore - 632 006.

+1 Cc to Mr.P.M. Bhakthavachalam, Advocate sr 62005.

RK(CO)
sp(06/10/2017)

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