

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.32910 of 2017
and
WMP.No.36286 of 2017

A.Kumar
S/o.Arumugam
(Chairman-Vellore Cooperative Sugar Mills)
Koranthangal Village and Post
Katpadi Taluk, Vellore District. .. Petitioner

versus

- 1.The Director of Sugar /
Registrar of Cooperative Sugar Mills
Directorate of Sugar
Government of Tamil Nadu
690, Anna Salai, Chennai-600 035.
- 2.The Additional Director of Sugar
(Administration and Legal)
Directorate of Sugar
Government of Tamil Nadu
690, Anna Salai, Chennai-600 035.
- 3.The Vellore Cooperative Sugar Mills
Represented by its Managing Director
Ammundi Village - 632 519,
Vellore District. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records comprised in the impugned notices as made in Na.Ka.12471/Sa.Tho.1/2017, dated 24.11.2017 and Na.Ka.12471/Sa.Tho.1/2017, dated 8.12.2017 on the file of the first respondent and quash the same.

For Petitioner: Mr.R.Karthikeyan
For Respondents: Mr.V.Selvaraj
Additional Government Pleader
For R1 & R2
Mr.Bala Ramesh for R5.

O R D E R

This writ petition is filed challenging the notices issued on 24.11.2017 and 18.12.2017, for deciding "No Confidence Motion" against the petitioner.

2. The grievance of the petitioner before this Court is that there is no occasion for the respondents 1 and 2 to convene a meeting for deciding the "No Confidence Motion" request given by the 12 members of the third respondent - Society, when 2 members viz., S.Santhi and R.Kotteswari have already withdrawn their request for convening such meeting, by their individual representation dated 29.11.2017, followed by another representations dated 13.12.2017 and 14.12.2017.

3. The learned counsel for the petitioner contended before this Court that when there is no coram for conducting such "No Confidence Motion", the very convening of meeting itself is against the statutory provision of the relevant law.

4. Heard Mr.R.Karthikeyan, learned counsel for the petitioner, Mr.V.Selvaraj, learned Additional Government Pleader for the respondents 1 and 2 and Mr.Bala Ramesh, learned counsel for the fifth respondent.

5. Admittedly, those two members were not made as parties before this Court. It is claimed by the petitioner that these two members have already given such representations before the respondents withdrawing their earlier request for convening such meeting. If that be the case, there cannot be any apprehension in the mind of the petitioner, since, even if a meeting is conducted, the stand of those two members viz., S.Santhi and R.Kotteswari will be known at that time of considering the "No Confidence Motion" resolution. Therefore, I find that no merits in this writ petition for entertaining the same, especially, when only the notices issued for conducting a meeting are under challenge.

6. Thus, this writ petition is dismissed, without expressing any view on the claim made by the petitioner as discussed supra. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Director of Sugar/Registrar of
Cooperative Sugar Mills
Directorate of Sugar
Government of Tami Nadu
690, Anna Salai, Chennai-600 035.

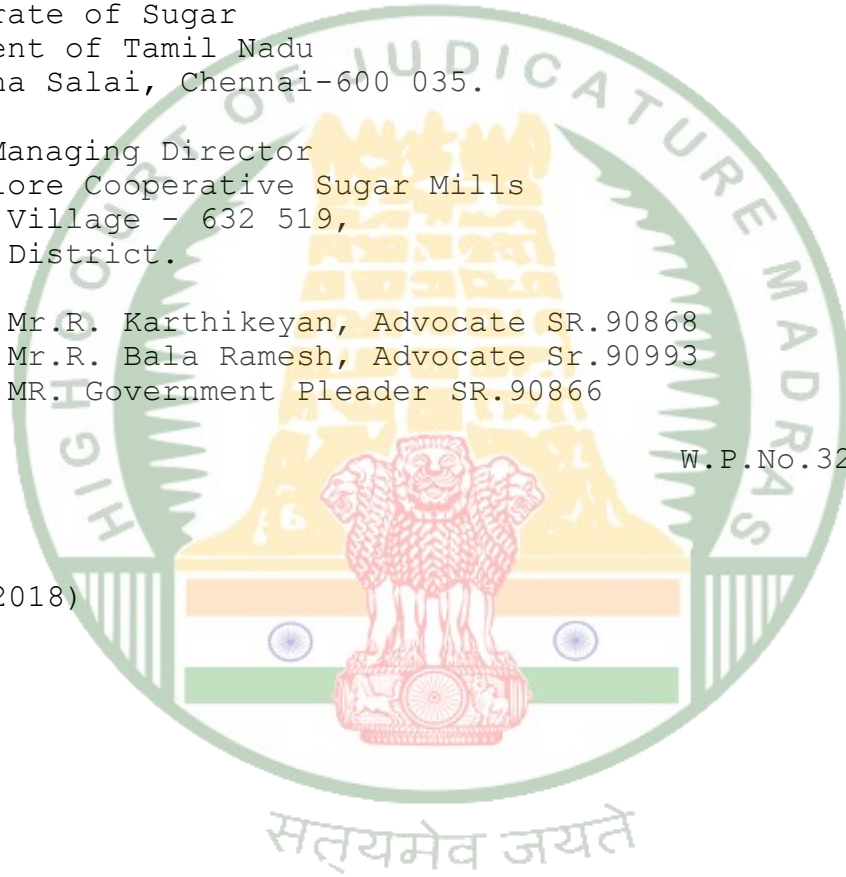
2. The Additional Director of Sugar
(Administration and Legal)
Directorate of Sugar
Government of Tamil Nadu
690, Anna Salai, Chennai-600 035.

3. The Managing Director
The Vellore Cooperative Sugar Mills
Ammundi Village - 632 519,
Vellore District.

+ 1 cc to Mr.R. Karthikeyan, Advocate SR.90868
+ 1 cc to Mr.R. Bala Ramesh, Advocate Sr.90993
+ 1 cc to MR. Government Pleader SR.90866

W.P.No.32910 of 2017

KS(CO)
EU(05/01/2018)



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