

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.17511 of 2014

TMP.Ananthasayanan

... Petitioner

Vs.

1. The Deputy Registrar of Coop Societies,
Villupuram Circle, Villupuram,
Villupuram District

2. M.Krishnadevan

... Respondents

PRAYER:

The Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 20.06.2014.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Selvaraj,
Additional Government Pleader
for R1

: Mrs.P.Rajalakshmi,
Government Advocate for R2

ORDER

The learned counsel for the petitioner would submit that the petitioner is one of the members of the second respondent society. The second respondent was elected as President of the said society. The second respondent is one of the employees in Anumandhai Primary Agricultural Coop. Credit Society. When the second respondent was discharging his duties as Senior Clerk in the society, he committed irregularities and so a surcharge order was passed against him for some amount. Based on that, the petitioner made a representation dated 20.06.2014 to the first respondent stating that as per rules,

the second respondent is disqualified from holding the post of President and requesting to take necessary action in this regard. But the first respondent openly refused to take action. Hence, the petitioner has filed this writ petition before this Court.

2. When the matter is taken up for final disposal, the learned Additional Government Pleader drew the attention of this Court placing a letter in Na.Ka.No.2197/2014/Ku.Na. Dated 06.09.2017 addressing to the learned Special Government Pleader (Cooperative) by informing that the surcharge proceedings under Section 87 (1) of the Tamil Nadu Cooperative Societies Act, 1983 was initiated by the Department and the notice was issued under Section 34 (6) of the Act. At that stage, the second respondent died.

3. In view of the said submissions made by the learned Additional Government Pleader, the learned counsel for the petitioner would admit that there is no further adjudication in the present writ petition.

4. Hence, the writ petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

The Deputy Registrar of Coop Societies,
Villupuram Circle,
Villupuram,
Villupuram District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.65027
+1cc to the Government Pleader, S.R.No.65430

W.P.No.17511 of 2014

BR(CO)
CA(05/10/2017)