

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2017

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

WP.No.19920 of 2017

K.Palanivel

..Petitioner

Vs.

1. The State rep by
The District Collector,
Thiruvarur District.
2. The Joint Registrar,
Cooperative Society,
Thiruvarur District
3. The Secretary,
Z376, Primary Agricultural
Cooperative Bank,
Nannilam,
Thiruvarur District.

...Respondents

PRAYER:

The Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the third respondent to consider the petitioner's representation dated 14.06.2017 and further issue a direction to the third respondent to give the details under Section 24(1) The Tamil Nadu Cooperative Societies Act.

For Petitioner : Mr.T.Balaji

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

ORDER:

According to the learned counsel for the petitioner, the petitioner is the member of the Z376, Primary Agricultural Cooperative Bank, Nannilam, Thiruvarur District. The petitioner gave a representation dated 31.01.2017 to the third respondent to give some details under Section 24(1) of the Tamil Nadu Cooperative Societies Act, 1983 with copies marked to the

District Collector of Thiruvarur District and the second respondent. The District Collector forwarded the petitioner's representation letter to the second respondent directing to take appropriate action under Section 6(3) of the Right to Information Act. On petitioner's request, the second respondent issued an Office Memorandum dated 22.02.2017 directing the Regional Registrar, Tiruvarur. The petitioner by letter dated 14.06.2017 reminded the same to the third respondent and requested to furnish the said particulars. But, the petitioner has not received any reply from the third respondent. Hence, the petitioner has filed this writ petition before this Court.

2. The learned Additional Government Pleader appearing for the respondents would submit that in view of the full bench judgment made in K. MARAPPAN VS. DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES, NAMAKKAL reported in 2006 (4) CTC 689, the writ petition filed against the third respondent / society is not maintainable before this court and hence, the writ petition is liable to be dismissed. Further, the petitioner may approach the concerned authority for the same relief.

3. As rightly pointed out the learned Additional Government Pleader in the light of the full bench judgment made in K. MARAPPAN VS. DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES, NAMAKKAL reported in 2006 (4) CTC 689, the Writ Petition is liable to be dismissed.

4. Hence, the writ petition is dismissed with liberty to the petitioner to approach the concerned authority for the aforesaid relief. No costs.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

lok

To

1. The District Collector,
The State,
Thiruvarur District.

2. The Joint Registrar,
Cooperative Society,
Thiruvarur District

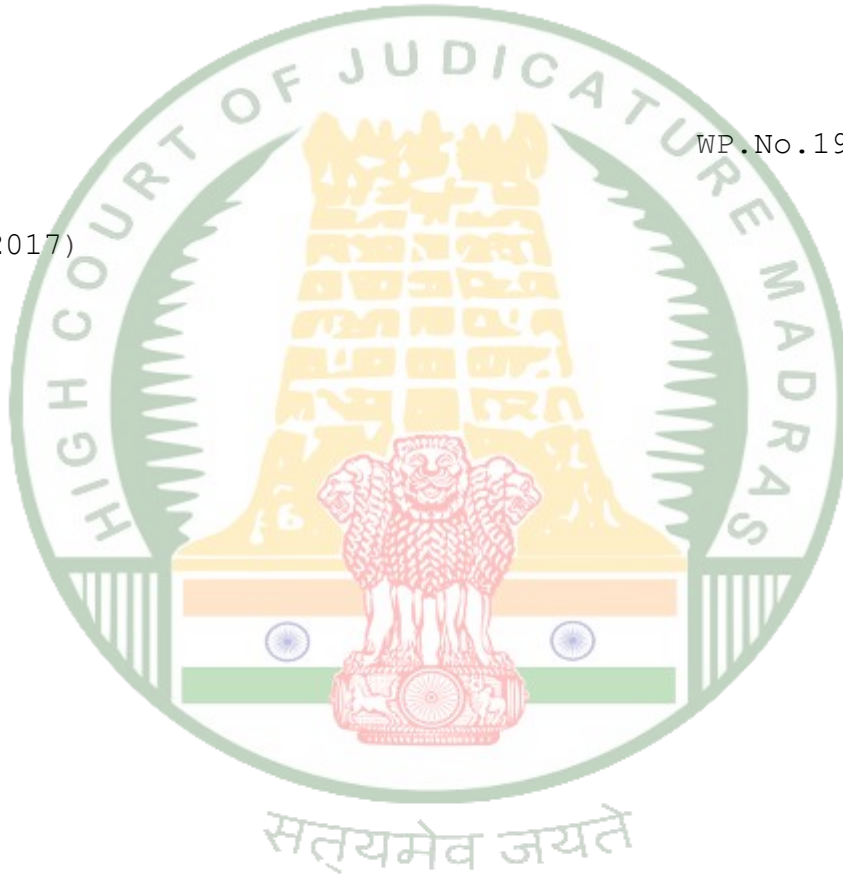
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3. The Secretary,
Z376, Primary Agricultural
Cooperative Bank,
Nannilam,
Thiruvavarur District.

+1 CC to Mr.A. Thiagarajan, Advocate sr 56104.
+1 Cc to Mr.V. Selvaraj, sr 55843.
+1 Cc to The Govt. Pleader sr 56282.

SK(CO)
sp(03/10/2017)

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