

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.6.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P.No.36762 of 2015
and M.P.No.1 & 2 of 2015&
W.M.P.No.6079 of 2016

S.Viswanathan

... Petitioner

Vs.

- 1 The Joint Director,
Handlooms, Handicrafts, Textiles
and Khadi Department,
Kuralagam, II Floor,
Chennai 108.
- 2 The Assistant Director/District Election Officer,
Handlooms, Handicrafts, Textiles
and Khadi Department,
Venkikal,
Tiruvannamalai 606 601
- 3 The Cooperative Election Commissioner,
Tamilnadu State Cooperative Societies
Election Commission,
273, Kamadhenu Supermarket, 1st Floor,
Anna Salai, Chennai 600 018. ... Respondents

सत्यमेव जयते

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified mandamus, calling for the records relating to the notice dated 3.11.2015 issued by the first respondent in his office ref.Na.ka.34672/2015 H1, quash the same and direct the second respondent to fill-up the vacancies in the Board of Keezhkodungalur Handloom Weavers Co-operative Production and Sales Society Limited, Keezhkodungalur, Vandavasi Taluk, Tiruvannamalai district as per proviso to Section 33 (11)(c) (ii) after informing the same to the third respondent and getting necessary instructions from him.

For Petitioner : Mr.P.Mani
For Respondents 1& 2 : Ms.T.Girija,
Govt. Advocate
For Respondent 3 : Mr.M.S.Palanisamy

O R D E R

Challenging the show cause notice issued under section 88 of the Tamilnadu Co-operative Societies Act by the first respondent, dated 3.11.2015, the writ petition has been filed under Article 226 of the Constitution of India.

2 The learned Additional Government Pleader submits that the writ petition is premature. At this stage, this Court cannot entertain the writ petition as the respondent has issued only a show cause notice. If any grievance, petitioner has to submit his explanation to the first respondent. Without resorting to the said remedy, the writ petition is not maintainable.

3 However, the learned counsel for the petitioner would submit that the petitioner requested three months time to submit his explanation to the first respondent. The petitioner already made request to the authority concerned to fill up the vacancies in the board of Keelkodungalur Handloom Weavers Co-operative Production and Sales Society Limited.

4 As rightly submitted by the learned Additional Government Pleader appearing for the respondents, at this stage the writ petition is not maintainable under Article 226 of the Constitution of India.

5 Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to submit his explanation to the first respondent within three months from the date of receipt of copy of the order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

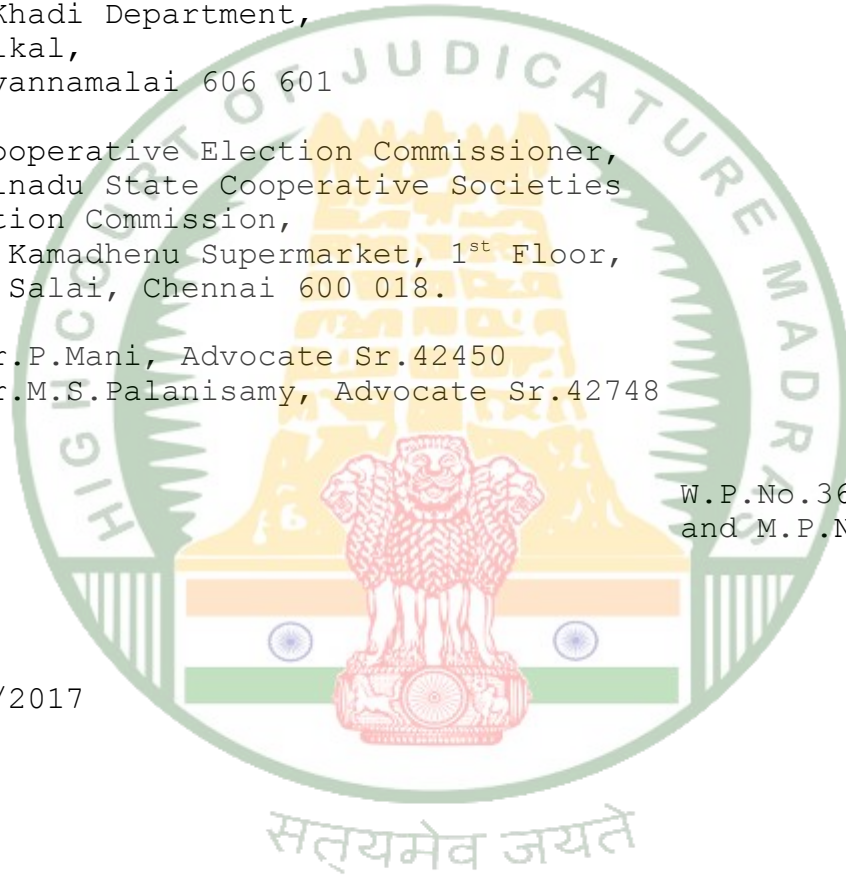
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+1cc to Mr.P.Mani, Advocate Sr.42450

+1cc to Mr.M.S.Palanisamy, Advocate Sr.42748

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and M.P.No.1 of 2015

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srg 28/06/2017



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