

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 25375 of 2012

and

M.P. No. 1 of 2012

K.M. Subramaniam

..Petitioner

Vs.

1. The Deputy Director of Fisheries
Coimbatore - 30.
2. The Assistant Director of Fisheries
Inland Fisheries
Krishnagiri District.
3. Special Officer
The FMR-1, Kaveripattinam
Parvatha Rajakula Fishermen
Co-operative Society,
O/o. Inspector of Fisheries
K.R.P Dam, Krishnagiri.

..Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from admitting any other persons except the eligible persons as a member of the 3rd respondent society to participate in the election and pass such further orders.

For Petitioner : Mr. S. Doraisamy

For Respondents : Ms. T. Girija

Government Advocate R1 & R2

Mr.L.P.Shanmuga Sundram

Spl. Government Pleader R3

O R D E R

The petitioner has filed this writ petition seeking to forbear the respondents from admitting any other persons except the eligible persons as members of the 3rd respondent society to participate in the election.

2. The learned counsel for the petitioner submitted that the petitioner is a member of the 3rd respondent society. The 3rd respondent after obtaining lease for fishing in the lakes under the control of the Government, will grant licence to its members for fishing in the said lakes. According to the petitioner, since the 3rd respondent Board was dissolved in the year 2005 and is managed by the Special Officer, no new members can be admitted. However, the 3rd respondent issued notification calling for General Body Meeting to be held on 18.09.2012 to enrol new members. As per Section 23 of the Tamil Nadu Co-operative Societies Act 1983, the General Body is not empowered to admit a person as a member, the petitioner submitted a representation dated 13.09.2012 to the respondents. The said representation is pending without passing any orders. Therefore, the petitioner has filed this writ petition.

3. Learned Additional Government Pleader submitted that if the said representation submitted by the petitioner is still pending, the respondents will certainly consider the same, in accordance with law, as expeditiously as possible.

4. In view of the submissions made by the parties, without going into the merits of the case, this Court is inclined to direct the 1st respondent to consider the representation of the petitioner dated 13.09.2012, on merits and in accordance with law, if it is yet to be disposed, as expeditiously as possible, and pass orders preferably within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity to the parties concerned.

5. The Writ Petition is disposed of, with the above observation. Consequently, the connected M.P is closed. No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

avr

To

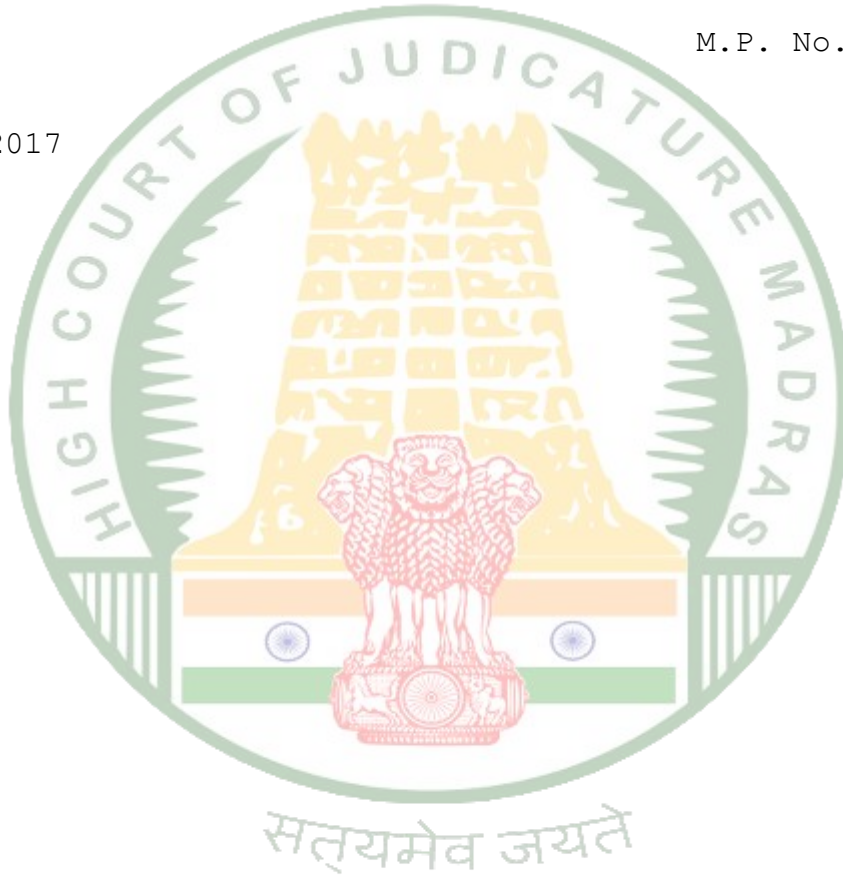
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O/o. Inspector of Fisheries
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+ 1 cc to Mr. S. Doraisamy, Advocate, SR.48894
+ 1 cc to The Govt.Pleader, SR.49418

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PVS (CO)
NR 14/09/2017



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