

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.03.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.36647 of 2016

The Pudukulam Milk Co-operative Society
Rep.by its President
P.Murugan

.. Petitioner

/versus/

1.The Deputy Registrar,
Co-operative Society (Dairying),
Cuddalore.

2.Tamilzharasi,
W/o Ramalingam,
President of Co-operative Society,
(Dairying), Mettu Street,
Puthukulam Village, Sirumullai Post,
Tittagudi Taluk,
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 20.02.2016 and cancel the registration TND:2454 code No.1836 of the 2nd respondent society within stipulated time.

For Petitioner :Mr.G.Kadhiresan

For Respondents :Mr.V.Selvaraj, AGP (Co-op.) for R1
No appearance for R2

O R D E R

The prayer in the writ petition is limited scope for directing the first respondent to consider the petitioner's representation dated 20.02.2016 and cancel the registration TND 2454 Code No.1836 of the 2nd respondent Society within stipulated time.

2. Learned counsel appearing for the petitioner submitted that the petitioner is the elected President of Co-operative Milk Society, Puthukulam Village, Sirumullai Post, Tittagudi Taluk, Cuddalore District, in the year 2009. The said Society

was registered as TND 1591 for Code No.1639 on 09.03.2009 at Puthukulam Village. 80 families have got membership in the petitioner's Society. In the year 2016, the second respondent has formed new Society, which falls within 100 meters from the petitioner's Society and the said Society was registered by the first respondent, without following rules and regulation of Co-operative Society Act. Therefore, the petitioner made a representation to the first respondent on 20.02.2016, but no order has been passed by the first respondent till then. Hence, the petitioner has filed the present writ petition for the aforesaid prayer.

3. Learned Additional Government Pleader(Co-op.) appearing for the first respondent submitted that if the petitioner's representation dated 20.02.2016 is still pending with the first respondent, he shall consider and pass orders in accordance with law, as directed by this Court.

4. In view of the limited prayer sought for in the writ petition, without expressing any opinion on the merits of the matter, this Court is inclined to dispose of the writ petition with a direction to the first respondent to consider the petitioner's representation dated 20.02.2016 and pass appropriate orders on merits and in accordance with law, after affording opportunity to the parties concerned, within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Deputy Registrar,
Co-operative Society (Dairying),
Cuddalore.
+1cc to Mr. R. Margabandhu, Advocate Sr. 15718
+1cc to Government Pleader Sr. 16034

W.P.No.36647 of 2016

SKS (CO)
VR(23/03/2017)