

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 38187 of 2004
and
W.P.M.P NO.45719 of 2004

N.Shanmugasundaram

.. Petitioner

Vs.

1. The Special Commissioner of
Land Administration,
Chepauk, Chennai-05.
2. The District Collector,
Coimbatore District,
Coimbatore.
3. The Special Officer,
Tiruppur Agricultural Producers
Co-op Marketing Society Ltd,
Tiruppur, Coimbatore District.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from taking the land and building, which belongs to members of the 3rd respondent society situated in T.S. No.46 (Old S.No.243/1) Block 22, Ward J of Thottipalayam Village, Tiruppur, Coimbatore District, unless convene the general body meeting of the 3rd respondent society and pass such further or other orders.

For Petitioner : Mr. C.Prakasam

For Respondents : Mr. V. Selvaraj

Pleader

Additional Government
for R1 & R2

for R3

Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking to forbear the respondents 1 and 2 from taking the land and building, which

belongs to members of the 3rd respondent society, without convening the general body meeting of the 3rd respondent society.

2. At the time of admission no interim order has been granted in by this Court. Today, when the matter is taken up for final hearing, it is brought to the notice of this Court, that Board of Directors have been elected afresh for the third respondent society, on 19.05.2013. The learned counsel appearing for the petitioner also admitted that the newly elected Board of Directors are now functioning for 3rd respondent society.

3. In view of the above submission of the learned counsel for the parties, as the petitioner being a member of the society, the prayer sought in the Writ Petition cannot be entertained and hence the same is liable to be dismissed.

4. Therefore, the Writ petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

avr/rkp

To

1. The Special Commissioner of
Land Administration,
Chepauk, Chennai-05.

2. The District Collector,
Coimbatore District,
Coimbatore.

+1 CC to Govt. Pleader sr 59476.

W.P. No. 38187 of 2004
and

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SP(15/09/2017)