

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-06-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.37892 of 2003

R.Sekar

.. Petitioner

vs.

1. The Registrar of Co-operative Societies,  
170, EVR Salai,  
Kilpauk,  
Chennai-600 010.
  2. The Deputy Registrar of Co-operative Societies,  
Dharmapuri Circle,  
Dharmapuri District.
  3. The Special Officer,  
DD-122, Harur & Pappireddipatti Taluk,  
Government Higher/High Schools Employees  
Co-operative Thrift & Credit Society,  
Harur Post and Taluk,  
Dharmapuri District.
  4. The President,  
DD-182, Pappireddipatti Taluk,  
Government High School & Higher  
Secondary School Teachers & Employees  
Co-operative Thrift & Credit Society,  
Pappireddipatty Post and Taluk,  
Dharmapuri District.
- .. Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the registration certificate of the fourth respondent-Society and the consequential order made in Na.Ka.No.126/03.Th.Va(2&5) dated 24.3.2003 issued by the second respondent and forbear the fourth respondent from functioning in the area of operation of the third respondent-Society and to quash the same.

For Petitioner : Mr.G.Ethirajulu  
For Respondents-1,2 & 4 : Mr.L.P.Shanmugasundaram,  
Special Government  
Pleader (Co-op.)

For Respondent-3 : Mrs.N.G.Kalaiselvi.

O R D E R

The dispute in this writ petition is regarding to the Registration of a Co-operative Society and area of operation.

2. It is purely a dispute between two Co-operative Societies in respect of the area of operation allotted by the Registrar of Co-operative Societies under the provision of the Tamil Nadu Co-operative Societies Act, 1983. The matter relating to the Co-operative Societies Act and an appeal provision is also provided under Section 90 of the Act. It is for the parties to file a suit under Section 90 of the Act and redress their grievances by taking proper course of action, and such a writ petition against a Co-operative Society is not maintainable and no such prayer can be considered through this writ petition in view of the legal principles laid down by the larger Bench of this Court in the case of K.Marappan vs. Dy. Registrar of Co-operative Societies, Namakkal Circle, Namakkal {2006 (4) CTC 689}.

3. Thus, the writ petition has no merit consideration and consequently, stands dismissed as not maintainable, however, there shall be no order as to costs.

s/d-  
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

Svn

To

1. The Registrar of Co-operative Societies,  
170, EVR Salai,  
Kilpauk,  
Chennai-600 010

+1 CC to Govt. Pleader sr 45979

+1 CC to Mr.L.P. Shanmuga Sundaram, Advocate sr 45837

W.P.No.37892 of 2003

SP(07/07/2017)