



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.15249 of 2017

C.Sathrack

.. Petitioner

Versus

1. The Chief Executive Officer,
Tamilnadu Khadi and Village Industries Board,
Kuralazham,
Chennai - 108.
 2. The Assistant Director,
Tamilnadu Khadi and Village Industries,
Nagercoil,
Kanyakumari District.
 3. The Special Officer,
The Marthandam Bee-Keepers Co-operative Society Ltd,
Vettuvanni Junction,
Marthandam Post - 629 165,
Kanyakumari District.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to include the name of the petitioner as a Member of the third respondent Society as per section 21 (2) (1) of the Tamil Nadu Co-operative Societies Act, 1983, by considering the representation of the petitioner, dated 08.02.2017.

For Petitioner : Mr.S.C.Herold Singh

For R1 and R2 : Mr.R.Karthikeyan
Additional Government Pleader

For R3 : Mr.K.P.Krishnadass
Government Advocate

ORDER

Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the first and second respondents 1 and 2 and Mr.K.P.Krishnadass, learned Government Advocate takes notice for the third respondent. By consent, the Writ Petition is taken up for final disposal.



2.The petitioner was a Member of the third respondent Co-operative Society, viz., The Marthandam Bee-Keepers Co-operative Society Ltd., Vettuvanni Junction, Marthandam Post, Kanyakumari District, from 1972 and he was given Membership No.420. During his Membership with the third respondent Co-operative Society, he was supplying Honey to the said Society. While so, to his shock and surprise, he received a communication from the Society as if he resigned from the basic membership of the Society without there being any application submitted by him. Therefore, on 17.12.2012, the petitioner has given an application to the third respondent Society requesting to include his name as Member of the third respondent Society. Since Section 21(2)(i) of the Tamil Nadu Co-operative Societies Act, 1983 states that every individual eligible for admission as a Member of any such Society under the provisions of this Act, the Rules and the by-laws of the Society shall, on application made in such form and in such manner as may be prescribed, be admitted by the Board as a Member of the Society with effect from the date of receipt of such application in the office of such Society, it is pleaded, a direction may be issued to the third respondent Co-operative Society to consider the petitioner's representation, dated 08.02.2017.

3.Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the third respondent to consider the representation of the petitioner, dated 08.02.2017, and pass orders on merits and in accordance with law, within four weeks from the date of receipt of a copy of this order.

4.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1. The Chief Executive Officer,
Tamilnadu Khadi and Village Industries Board,
Kuralazham,
Chennai - 108.

2. The Assistant Director,
Tamilnadu Khadi and Village Industries,
Nagercoil,
Kanyakumari District.



3. The Special Officer,
The Marthandam Bee-Keepers Co-operative Society Ltd,
Vettuvanni Junction,
Marthandam Post - 629 165,
Kanyakumari District.

+1 cc to Mr.S.C.Herold Singh , Advocate in SR.No. 72451
+1 cc to The Special Government Pleader in SR.No.72908

smn2

AE/MR KKR/SAR2/24.08.2017/3P/6C

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16.08.2017