



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 10.10.2017

CORAM:

**THE HONOURABLE MR. JUSTICE R. MAHADEVAN**

W.P (MD) No.18827 of 2017

and

W.M.P (MD) No.15195 of 2017

T.Sundarraaj

... Petitioner

Vs.

1.The Joint Registrar  
Co-Operative Societies,  
Kanyakumari Division,  
Thuckalay Post,  
Kanyakumari District.

2.The Managing Director,  
Kalkulam,  
Vilavancode Taluk,  
Agri Producers Co-operative Marketing Society Limited,  
No.Y-285, Marthandam Post,  
Kanyakumari District.

3.The Secretary,  
Kalkulam,  
Vilavancode Taluk,  
Agri Producers Co-operative Marketing Society Limited,  
No.Y-285, Marthandam Post,  
Kanyakumari District.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider and pass orders as the petitioner's representation dated 23.08.2017 pursuant to Na.Ka.No.59165/2017 Koo Thea 1 dated 30.08.2017.

For Petitioner : Mr.B.Christopher  
For R1 : Mr.J.Gunaseelan Muthiah,  
Government Advocate

### **O R D E R**

This writ petition has been filed seeking a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 23.08.2017 pursuant to Na.Ka.No.59165/2017 Koo Thea 1 dated 30.08.2017.

<https://hcservices.ecourts.gov.in/hcservices/> 2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the first respondent. By consent, this Writ

Petition is taken up for final disposal at the admission stage itself. Notice to R2 & R3 is dispensed with, as no adverse order is going to be passed against them.

3. According to the petitioner, he is a member of the Agri Producers Co-operative Marketing Society and pursuant to the death of the President and Vice President of the Society, both the posts were kept vacant. Therefore, the petitioner submitted a representation dated 23.08.2017 to the authorities to conduct election against such vacancies, on account of which, the Additional Registrar, through his proceedings dated 30.08.2017, has directed the first respondent to take appropriate steps to conduct election. The representation sent by the Administrative Committee member to conduct election is also kept pending for enquiry and pursuant to the inaction on the part of the respondents, the present writ petition has been filed for the relief as stated supra.

4. The learned Government Advocate appearing for the first respondent has submitted that if a reasonable time is granted to the respondent, appropriate orders will be passed on the representation of the petitioner dated 23.08.2017.

5. In view of the above submission and also considering the limited scope of the relief sought for, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 23.08.2017 and pass appropriate orders thereon, on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

6. The writ petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To:

1. The Joint Registrar  
Co-Operative Societies,  
Kanyakumari Division,  
Thuckalay Post,  
Kanyakumari District.

2. The Managing Director,  
Kalkulam,

<https://hcservices.courts.gov.in/hcservices/> Taluk,

Agri Producers Co-operative Marketing Society Limited,  
No.Y-285, Marthandam Post, Kanyakumari District.



3.The Secretary,  
Kalkulam,  
Vilavancode Taluk,  
Agri Producers Co-operative Marketing Society Limited,  
No.Y-285, Marthandam Post,  
Kanyakumari District.

+1cc to Mr.B.CHRISTOPHER,Advocate,SR.82063  
+1cc to Mr.J.GUNASEELAN MUTHIAH,Advocate,SR.82108  
+1cc to M/S.Special Government Pleader,SR. 82294

W.P (MD) No.18827 of 2017  
10.10.2017

RM  
KK/SKN RSK/SAR 1/24.10.2017/ 3P- 7C/