



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.5561 of 2017 and
W.M.P.(MD)No.4444 of 2017

R.Poomayil, W/o.Ramachandran,
Director of Q 1281, Pookkulam Primary Agricultural
Co-operative Credit Society,
Pookkulam,
Kadaladi Taluk,
Ramanathapuram District. .. Petitioner

Vs.

1. The District Collector,
Ramanathapuram District, Ramanathapuram.
2. The Joint Registrar Co-operative Societies,
Ramanathapuram District, Ramanathapuram.
3. The District Supply Officer,
Ramanathapuram District,
Ramanathapuram. .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents to transfer the fair price shops No.1 Elanchempur fair price shop, 2. Pookkulam fair price shop, 3. Kandilan fair price shop and 4. Veerampal fair price shop of the Q 1281, Pookkulam Primary Agricultural Co-operative Credit Society, Pookkulam, Kadaladi Taluk, Ramanathapuram District to any other District Level Co-operative Marketing Agencies.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.C.Selvaraj,
Special Government Pleader.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, forbearing the respondents to transfer the fair price shops No.1 Elanchempur fair price shop, 2. Pookkulam fair price shop, 3. Kandilan fair price shop and 4. Veerampal fair price shop of the Q 1281, Pookkulam Primary Agricultural Co-operative Credit Society, Pookkulam, Kadaladi Taluk, Ramanathapuram District to any other District Level Co-operative Marketing Agencies.



2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction to the respondents not to transfer the fair price shops belonging to the petitioner's society, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 17.03.2017 in accordance with law and to maintain Status Quo till such time, the respondents pass an order based on the representation of the petitioner.

5. Having regard to the limited scope of the request made before this Court by the learned counsel for the Writ petitioner, without expressing any opinion on the merits of the matter, this Court is inclined to issue the following order:-

"The respondent are directed to consider the representation of the petitioner, dated 17.03.2017 regarding the threat of transfer of fair price shops attached to the petitioner's society, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Till such time, the first respondent decide and pass appropriate orders on merits of the petitioner's representation, the respondents 2 and 3 are directed to maintain Status Quo. "

6. Accordingly, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(Protocol)

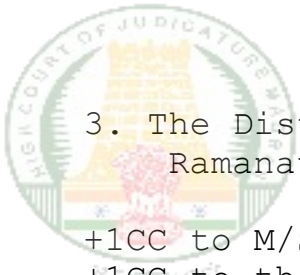
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Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District, Ramanathapuram.

2. The Joint Registrar Co-operative Societies,
Ramanathapuram District, Ramanathapuram.



3. The District Supply Officer, Ramanathapuram District,
Ramanathapuram.

+1CC to M/S.S.C.Herold Singh, Advocate, SR.No. 18875

+1CC to the Special Government Pleader SR.No. 19252

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ORDER MADE IN
W.P. (MD) .No.5561 of 2017
04.04.2017

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AM/SKN RSK/SAR-3/10.04.2017/3P/6C