



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.6138 of 2017

Samy Ayya

.. Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Joint Registrar,
Co-operative Society,
Collectorate,
Ramanathapuram.
- 3.The President,
Q1285, Co-operative Society
Kavadipatty Primary Agricultural
Co-operative Society,
Kavadipatty Village,
Ramanathapuram District.
- 4.The Secretary,
Q1285, Co-operative Society
Kavadipatty Primary Agricultural
Co-operative Society,
Kavadipatty Village,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to take steps for misappropriation of Kavadipatty Primary Agricultural Co-operative Society as against the respondents 3 and 4 by considering representation dated 20.02.2017.

For petitioner	: Mr.S.Muniyandi
For R1 and R2	: Mr.M.Govindan Special Government Pleader.
For R3 and R4	: Mr.R.Saravanan For Mr.C.G.Pethanaraj

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner has filed the Writ Petition seeking a
[https://hcservices.ecourts.gov.in/hcservices/](https://hcservices.ecourts.gov.in/hcservices/servicecourtsqr) the second respondent to take steps for
misappropriation of Kavadipatty Primary Agricultural Co-operative

Society as against the third and fourth respondents, by considering his representation dated 20.02.2017.

2. The petitioner submitted a representation to the Joint Registrar, Co-operative Societies, Ramanathapuram, alleging acts of misappropriation by the third and fourth respondents. The representation was given on 20.02.2017. Since follow-up action was not taken by the Joint Registrar, the petitioner has come forward with this Writ Petition.

3. The learned counsel for the respondents 3 and 4 submitted that the petitioner submitted application before the third and fourth respondents for waiver of the loan given to him. Since he was not eligible, no such waiver was given. The petitioner, therefore, filed a false complaint against the third and fourth respondents. The Writ Petition is, therefore, cannot be characterised as Public Interest Litigation.

4. We direct the second respondent to consider and dispose of the representation dated 20.02.2017 submitted by the petitioner on merits and as per law with notice to the third and fourth respondents. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order. We make it clear that we have not considered the allegations made against the third and fourth respondents and the *locus standi* of the petitioner to make such allegations against them. In short, the issue shall be considered purely on merits, taking into account the records maintained in the office of the Co-operative Society in question.

5. The writ petition is disposed of with the above direction. No costs.

Sd /-

ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1. The District Collector, Ramanathapuram District, Ramanathapuram.
2. The Joint Registrar,
Co-operative Society, Collectorate, Ramanathapuram.

+1 CC TO MR.S.MUNIYANDI, ADVOCATE, SR NO.63404
+1 CC TO MR.R.SARAVANAN, ADVOCATE, SR NO.63391
+1 CC TO THE SPECIAL GOVERNMENT PLEADER SR NO.63688

rj2/rm

MAS/MR-KKR/SAR1:18.07.2017:2P-6C

ORDER MADE
IN