

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.04.2018
CORAM:
THE HONOURABLE MR. JUSTICE T.RAJA
W.P.No.6195 of 2018

Gunamani.J.

... Petitioner

.. Vs ..

1. The Registrar of the Co-operative Societies,
O/o. Registrar of Co-operative Societies,
170, EVR Periyar High Road,
Kilpauk, Chennai - 10.
 2. The Joint Registrar of the Co-operative Societies,
O/o. Registrar of Co-operative Societies,
170, EVR Periyar High Road,
Kilpauk, Chennai - 10.
 3. The Joint Registrar of the Co-operative Societies,
O/o. Joint Registrar of Co-operative Societies,
Thiruvavur Region,
Thiruvavur.
 4. The Sub-Registrar,
O/o. the Joint Registrar of Co-operative Societies,
Thiruvavur.
 5. The Public Information Officer,
O/o. the Joint Registrar of Co-operative Societies,
Mannarkudi.
 6. The Secretary/The Incharger,
Thirurameswaram Primary Agricultural Co-operative
Societies Limited,
Thirurameswaram.
- सत्यमेव जयते ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the allocation of the relief fund and loan amount to the farmers field and also quash the rejection letter dated 15.11.2017, issued by the sixth respondent and direct the 6th respondent to issue the information under the Right to Information Act, 2005.

For Petitioner : Ms.K.Prema
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

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ORDER

The present writ petition has been filed praying for issuance of a writ of Certiorarified Mandamus, to call for the records pertaining to the allocation of the relief fund and loan amount to the farmers field and to quash the rejection letter dated 15.11.2017, issued by the sixth respondent and direct the sixth respondent to issue information under the Right to Information Act, 2005.

2. The petitioner is a Member of the Co-operative Society and he has been issued with a pass book by the Society. The Society has given crop insurance amount to all the insurers of the paddy field for the year 2012-2013 and the petitioner was issued with a sum of Rs.15,000/- as loan amount by the Society on 20.12.2012. Again on 28.09.2013, the petitioner was issued Rs.24,000/- as loan amount for the paddy and Rs.8,000/- for fertilizer. Totally, a sum of Rs.32,000/- was issued to the petitioner for the year 2013-2014. It is also stated that on 20.10.2014, the petitioner was given Rs.26,200/- towards paddy loan and Rs.2,400/- for the seed and Rs.8,400/- towards fertilizer and altogether, a sum of Rs.37,000/- was paid to him for the year 2014-2015.

3. The grievance of the petitioner is that the share amount of Rs.26,500/- was not paid to him by the Society for which a complaint was made before the District Collector on 06.03.2017 for non-payment of the pending amount and only thereafter, the Society has paid a sum of Rs.20,000/- from the allocated amount and the balance amount of Rs.6,500/- has not been paid till date. Therefore, the petitioner enquired the Secretary of the Society about the calculation of the insurance fund for his land against the crop insurance. The Secretary of the Society was reluctant to say about the allocation and the calculation of the drought relief amount against the crop insurance. At one point of time, after repeated requests, the Secretary of the Society answered the petitioner rudely. Therefore, he made an application before the Information Officer under the Right to Information Act, 2005, seeking to furnish the details regarding allocation of funds and which is being done on what basis and how much amount is being allotted for the seed and fertilizer for an Acre. Finally, the impugned order dated 15.11.2017 has been passed by the sixth respondent, as against which, the petitioner has come before this Court.

4. The impugned order has been passed by the Information Officer under the Right to Information Act, as against which, the petitioner cannot maintain any writ petition, as he has to work out his remedy by filing an appeal in the manner known to law. Therefore, the Writ Petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Registrar of the Co-operative Societies,
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3. The Joint Registrar of the Co-operative Societies,
O/o. Joint Registrar of Co-operative Societies,
Thiruvarur Region,
Thiruvarur.
4. The Sub-Registrar,
O/o. the Joint Registrar of Co-operative Societies,
Thiruvarur.
5. The Public Information Officer,
O/o. the Joint Registrar of Co-operative Societies,
Mannarkudi.

+1 cc to M/s.K.Prema Advocate sr 26079
+1 cc to M/s.L.P.Shanmugasundaram Advocate sr 26413
+1 cc to the Govt PLeader sr 27303

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