

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.5411 of 2011

and

M.P.No.1 of 2011

G.Loganathan

..Petitioner

Vs.

1.The Registrar of Co-operative Societies,
N.V.N.Malai,
Kilpauk,
Chennai 600 010.

2.The Salem District Central
Co-operative Bank Limited
Represented by its Joint Registrar
Salem 1.

3.S.318, Rasipuram Agricultural
Producers Co-operative Marketing Society Ltd
Represented by its Special Officer
Rasipuram, Namakkal District.

4.S.336, Nachipatti Primary Agricultural
Credit Society
Represented by its Special Officer
Vennadur Post, Namakkal District.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 and 2 to prevent the third respondent from running the Service Centre at Vennadur, Namakkal District, and consequently direct the third respondent to forthwith transfer the Four Fair Price Shops run by them to the fourth respondent.

For Petitioner : Mr.K.Selvaraj
For R1 & R4 : Mr.L.P.Shanmugasundaram
Special Government Pleader
For R2 : Mr.R.Raghavan
For R3 : Mrs.M.E.RaniSelvam

ORDER

Heard, Mr.K.Selvaraj, the learned counsel for the petitioner, Mr.L.P.Shanmugasundaram, the learned Special Government Pleader appearing for the respondents 1 and 4, Mr.R.Raghavan, the learned counsel appearing for the second respondent and Mr.M.E.Raniselvam, the learned counsel appearing for the third respondent and perused all the materials available on record.

2. This writ petition has been filed for issuance of a writ of mandamus to direct respondents 1 and 4 to prevent the third respondent from running the service centre at Vennandur, Namakkal District, and consequently direct the third respondent forthwith to transfer the Four Fair Price Shops run by them to the fourth respondent.

3. The case of the petitioner is that he is the member of the fourth respondent agricultural society and the grievances expressed by the petitioner is that in the area allotted for operations of the fourth respondent society, the third respondent has established the service centre which affects the interest of the fourth respondent.

4. The learned counsel for the petitioner submitted that on the representation of the petitioner dated 07.12.2009, the second respondent directed the third respondent to close operation in the fourth respondent area, however despite of the direction, no action was taken by the third respondent.

5. The learned counsel appearing for the second respondent would argue that the competent authority is the first respondent and he has to consider the grievance of the petitioner. The learned counsel for the first respondent would state that the representation of the petitioner would be considered in accordance with law.

6. In the light of the above facts and submissions of the learned counsels on either side, this Court without going into the merits of the case directs the petitioner to give a fresh representation along with a copy of this order to the first

respondent, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the first respondent shall consider the same and pass orders, after hearing all the parties concerned, within a period of twelve weeks therefrom.

7. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

dna
To

1.The Registrar of Co-operative Societies,
N.V.N.Malai,
Kilpauk,
Chennai 600 010.

2.The Salem District Central
Co-operative Bank Limited
Represented by its Joint Registrar
Salem 1.

+1cc to Mr.K.Selvaraj, Advocate Sr.72925
+1cc to Mr.L.P.Shanmugasundaram, Advocate Sr.73446
+1cc to the Government Pleader Sr.73465

सत्यमेव जयते

W.P.No.5411 of 2011
and
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ks[co]
srg 30/11/2018

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