

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.11503 of 2018 and
WMP.No.13448 of 2018

R.Ramalingam

... Petitioner

Vs

1.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Kilpauk, Chennai-10.

2.The Deputy Registrar,
Dharmapuri Circle,
Office of the Registrar of Co-operative Societies,
Collectorate Office Campus,
Dharmapuri-636 705.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to drop the Proceedings under Na.Ka.6871/16/Sapa2 dated 27.10.2016 based on the petitioner's representation dated 05.04.2018.

For Petitioner : Mr.M.Vijay Anand

For Respondents : Mr.L.P.Shanmughasundaram,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent to drop the Proceedings under Na.Ka.6871/16/Sapa2 dated 27.10.2016 based on the petitioner's representation dated 05.04.2018.

2. Learned Counsel appearing for the petitioner submitted that the petitioner claims to be a permanent member of the S.6756 Erranahalli Primary Agricultural Co-operative Credit Society from the year 2013 and he was also elected as the President of the said Society on 09.05.2013 by the Board Members of the Society and till date, he is continuing his work without any room for complaint for the welfare of the society.

3. The learned Counsel for the petitioner further submitted that while so, he was issued with a Notice under Section 87 of the Tamil Nadu Co-operative Societies Act by the 2nd respondent on 27.10.2016. Though the said proceedings ought to have been completed within a period of six months from the date of such commencement, the 2nd respondent till date has not completed the enquiry and the same is pending contrary to the law laid down stating that any proceedings initiated under Section 87 of the Act should be completed within a period of six months. This apart, the petitioner has not furnished with a copy of the Report under Section 81 of the Tamil Nadu Co-operative Societies Act. The learned Counsel also submitted that without furnishing a copy of the report submitted under Section 81 of the Act, the Section 87 proceedings cannot be initiated. In this regard, the petitioner has given a representation on 02.01.2017 followed by a representation on 15.6.2017 and one more representation on 05.4.2018 and they have not been disposed of till date. Hence the present Writ Petition.

4. Mr.L.P.Shanmughasundaram, learned Additional Government Pleader taking notice for the respondents sought for considerable time to consider the pending representation made by the petitioner on merits.

5. Considering the facts and circumstances of the matter, without going into the merits of the claim made by the petitioner, this Court directs the 2nd respondent to consider the latest representation of the petitioner dated 05.04.2018 and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

tsi

To

1.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Kilpauk, Chennai-10.

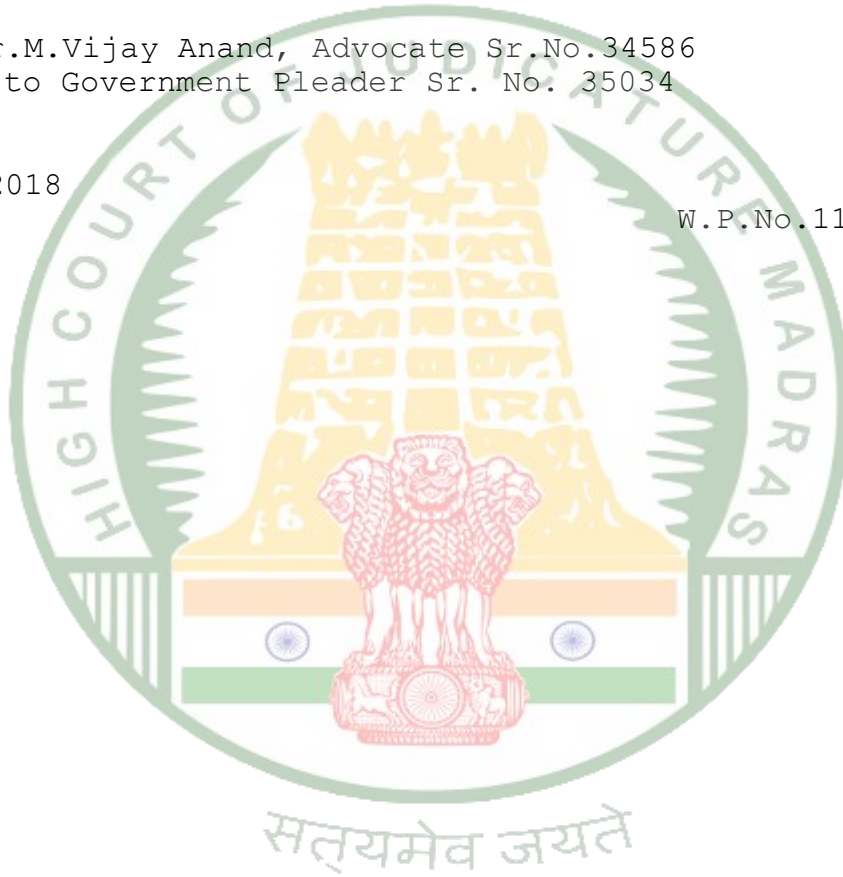
2.The Deputy Registrar,
Dharmapuri Circle,
Office of the Registrar of Co-operative Societies,
Collectorate Office Campus,
Dharmapuri-636 705.

+1cc to Mr.M.Vijay Anand, Advocate Sr.No.34586

+1cc to Government Pleader Sr. No. 35034

GJII(CO)
GSP:19.6.2018

W.P.No.11503 of 2018



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