

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.09.2018
CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN
W.P. 23618 of 2018
and
W.M.P. 27553 of 2018

S.Saravanan

... Petitioner

Vs

1. The Joint Registrar of
Co-operative Societies,
Cuddalore Region,
Cuddalore.

2. The Deputy Registrar of
Co-operative Societies,
Chidambaram Circle,
Cuddalore Dt.

3. V.Amutha

4. A.Vasantha

5. P.Maragatham

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing to disqualify the respondents 3 to 5 from holding the post of members of governing body of E-2592 Keerapalayam Primary Agricultural Cooperative Credit Society, Keerapalayam, Chidambaram Taluk, Cuddalore District under Sec.34(1) (h) (i) of the Tamil Nadu Cooperative Societies Act.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader
for R-1 & R-2

O R D E R

This writ petition has been filed seeking for a direction directing the 2nd respondent to consider the petitioner's representation to disqualify the respondents 3 to 5 from holding the post of member of the governing body of E.2592 Keerapalayam Primary Agricultural Co-operative Credit Society.

2. According to the petitioner, the respondents 3 to 5, who cannot read and write both Tamil and English have been now elected as Board of Directors to the above said Society. Now,

they are functioning as Board of Directors and since they cannot read and write Tamil and English, they have to be disqualified under Sec.34(1)(h)(i) of Tamil Nadu Co-operative Societies Act. In the said circumstances, the petitioner has submitted his representation before the respondents 1 and 2 on 13.08.2018. But, so far, no order has been passed in the representation of the petitioner. Hence, the present Writ Petition has been filed by the petitioner.

3. I have heard the rival submissions made by Mr.M.S.Palaniswamy, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents and perused the records carefully.

4. In view of the order is going to be passed in the present Writ Petition, it will not prejudice the interest of the respondents 3 to 5 and the notice to the respondents 3 to 5 are also dispensed with. Considering the fact that the petitioner's representation is pending before the respondents 1 and 2 from 13.08.2018, without going to the merits of the case, the respondents 1 and 2 are directed to consider the representation of the petitioner and pass suitable orders on merits and in accordance with law after giving notice to the petitioner as well as the respondents 3 to 5 within a period of eight weeks from the date of receipt of the copy of this order.

5. With the above direction, the present Writ Petition stands disposed. No costs. Consequently, the connected Writ Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Joint Registrar of
Co-operative Societies,
Cuddalore Region,
Cuddalore.

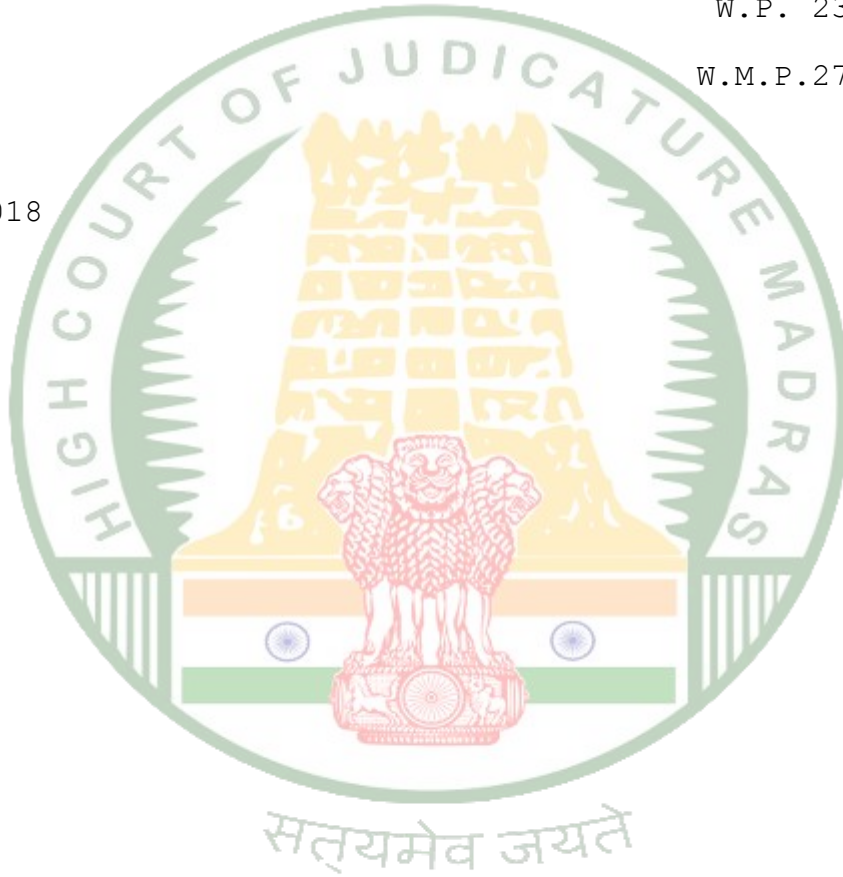
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2. The Deputy Registrar of
Co-operative Societies,
Chidambaram Circle,
Cuddalore Dt.

+1 cc to Government Pleader High Court Madras
sr 62948
+1 cc to Mr.M.S.Palaniswamy Advocate sr 62526

W.P. 23618 of 2018
and
W.M.P.27553 of 2018

aa15/10/2018



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