

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.10.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. 24564 of 2018

and

W.M.P. 28599 of 2018

K.Punniyakoti

... Petitioner

-Versus-

1. The Registrar of Cooperative Societies (Housing),
Tamil Nadu Cooperative Housing Federation,
No.48, Ritherdon Salai,
Vepery, Chennai-600 007.

2. The President,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

3. The Vice-President,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

4. Joseph Manoharan,
S/o. Vedanayagam,
No.22/2B, Anna Street,
Kamarajapuram,
Chennai-600 073.

5. The Election Officer,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from conducting Board of Directors Meeting, General Body Meeting and any other activities for the 2nd respondent society, consequently not to allow the so called Elected Directors to pass any resolutions in the 2nd respondent society.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader for
R1 to R3 & R5

ORDER

This writ petition has been filed forbearing the respondents 2 and 3 from conducting Board of Directors Meeting, General Body Meeting of the 3rd respondent society.

2. The grievance of the petitioner is that the 4th respondent, who was not eligible and qualified to contest in the election to the Board of Directors, has been elected as the President of the Society and conducting meeting of the Board. Hence, a complaint has been already been filed before the authorities, earlier, this Court by an order dated 16.08.2018 directed the 1st and 2nd respondent to refer the petitioner's objection to the Zonal Committee constituted pursuant to the direction of this Court. Since no action has been taken, the present Writ Petition has been filed.

3. Mr. C.Prakasam, learned counsel appearing for the petitioner submitted that even after the order passed by this Court on 16.08.2018, the 3rd respondent so far not referred the petitioner's objection dated 29.04.2018, and the petitioner will be satisfied if the complaint is referred to the Zonal Committee.

4. I have heard both sides and perused the records carefully.

5. Considering the limited relief sought in the Writ Petition, without going to the merits of the case, the 1st respondent is directed to refer the petitioner's objection dated 29.04.2018 to the Zonal Committee within a period of one week from the date of receipt of the copy of this order. That apart, the petitioner also permitted to file a petition before the Zonal Committee.

6. In the result, this Writ Petition is closed. No costs. Consequently, the connected Writ Miscellaneous Petition is also closed.

s/d-

Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

rpp

To

1. The Registrar of Cooperative Societies (Housing),
Tamil Nadu Cooperative Housing Federation, No.48, Ritherdon Salai,
Vepery, Chennai-600 007.

2. The President,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

3. The Vice-President,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

4. The Election Officer,
VSNL Employees Cooperative Housing Society Ltd.,
No.4, Swamy Sivananda Salai,
Chennai-600 002.

+1 CC to Mr.C.Prakasam, Advocate sr 74437(30/10/2018)

W.P. 24564 of 2018
and
W.M.P. 28599 of 2018

MR(CO)
SP(29/10/2018)

सत्यमेव जयते

WEB COPY