

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.28120 of 2018

and

W.M.P.No.32769 of 2018

K.Krishnasamy

... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Erode.
2. The Registrar of Co-operative Societies,
170, Periyar E.V.R.Road,
Kilapakkam,
Chennai - 10.
3. The Joint Registrar of Co-operative Societies,
Mohan Kumaramangalam Salai,
Surampatti,
Erode District.
4. The Deputy Registrar,
Co-operative Societies,
Balaji Nagar, Nalli Goundan Palayam,
Gopichetty Palayam,
Erode District.
5. The President,
No.AA517 Bhavani Kuruchi Primary,
Agricultural co-operative and Credit Society,
having office at, Sembadampalayam,
Bhavani Taluk,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 2 to 4 to consider the petitioner's representation dated 01.10.2018.

For Petitioner : Mr.Karan and Uday

For Respondents : Mrs. T.Girija,
Government Advocate.

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation.

2. The grievance of the petitioner is that the fifth respondent-Co-operative Society is having office at Sembadampalayam village, Bhavani Taluk. Now, for the purpose of constructing a society, a land was also purchased in that village. Now, all of a sudden , the 5th respondent herein is taking steps to construct a society building at Kuruchi Village, for which, they have also illegally passed a resolution in the absence of the petitioner. In such circumstances, the petitioner has given a representation before the fourth respondent to take action against the 5th respondent and also cancel the resolution. But, that representation was not considered by the fourth respondent. Hence, the present writ petition has been filed.

2. The learned counsel appearing for the fourth respondent, on instructions, submitted that already the society has passed the resolution to construct the building based on the order passed by the District Collector and there is no illegality in it.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. Considering the limited prayer sought for in this Writ Petition and without going into the merits of the case as the petitioner's representation is pending with the fourth respondent, the fourth respondent is directed to consider the petitioner's representation and pass suitable orders on merits, after giving opportunity to the petitioner and the fifth respondent, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2018

mrp
Speaking order/Non speaking order
Index: Yes/No
Internet: Yes/No

To

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V.BHARATHIDASAN, J.,

mrp



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