

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 32237 of 2018

M.Subramani

... Petitioner

Vs

1. The Joint Registrar of Cooperative Societies,
Office of the Joint Registrar of Cooperative Societies,
District Collector Campus,
Vengikal Post,
Thiruvannamalai District.
 2. The Deputy Registrar of Cooperative Societies/District Election Officer,
Office of the Deputy Registrar of Cooperative Societies,
District Collector Campus,
Vengikal Post, Thiruvannamalai Dt.
 3. H.H.582, Vanapuram Primary Agricultural Cooperative Credit Society, rep. by its President Mr.A.Mani,
Vanapuram, Thandarampattu Taluk,
Thiruvannamalai District.
 4. Mr.A.Mani,
S/o. Appavu Gounder,
Vanapuram, Thandarampattu Tk.,
Thiruvannamalai District.
- ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue appropriate Writs, orders or Directions and in particular issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 25.08.2018 and 03.10.2018 and to take necessary action on the representation by invoking the provisions of Sec.34 of the Tamil Nadu Cooperative Societies Act, 1983 and to disqualify the 4th respondent from the membership of the Board within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.G.Ilamurugu
For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R1 to R3

O R D E R

This writ petition has been filed seeking for a direction to the 1st respondent to consider the petitioner's representation dated 25.08.2018.

2. According to the petitioner, the 4th respondent has now elected as a President of the 3rd respondent cooperative Society, and contended that since his son's wife is working as a sales woman in the 3rd respondent cooperative society, the 4th respondent is not entitled to contest in the election. In the said circumstances, the petitioner has submitted a representation to the 1st respondent, but, so far, his representation was not considered. Hence, the present Writ Petition has been filed.

3. Mr. L.P.Shanmugasundaram, Special Government Pleader takes notice for the respondents 1 to 3. Considering the nature of order is being passed in the Writ Petition, it is no way prejudice the right of the 4th respondent. Hence, the notice to the 4th respondent is dispensed with.

4. Considering the limited prayer sought in the present Writ Petition, without going into the merits of the case, the 1st respondent is directed to consider the petitioner's representation and pass suitable orders on merits and in accordance with law after issuing notice to the petitioner as well as to the 4th respondent. The above exercise is directed to be completed within a period twelve weeks from the date of receipt of the copy of this order. In the result, the present Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Joint Registrar of
Cooperative Societies,
Office of the Joint Registrar of
Cooperative Societies,
District Collector Campus,
Vengikal Post,
Thiruvannamalai District.

2. The Deputy Registrar of
Cooperative Societies/District
Election Officer,
Office of the Deputy Registrar of
Cooperative Societies,
District Collector Campus,
Vengikal Post, Thiruvannamalai Dt.

3. H.H.582, Vanapuram Primary
Agricultural Cooperative Credit
Society, rep. by its President
Mr.A.Mani,
Vanapuram, Thandarampattu Taluk,
Thiruvannamalai District.

+1cc to Mr.L.P.Shanmugasundram, Advocate, S.R.No. 84223
+1cc to Mr.G.Ilamurugu, Advocate, S.R.No. 84121
+1cc to the Government Pleader, S.R.No. 84419

SJ(CO)
GN(28/01/2019)

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