



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. (MD) .No.5404 of 2018

V.P.Ammavasai

... Petitioner

Vs.

1. The Deputy Registrar (Diaring)  
Madurai Aavin Complex,  
Madurai.
2. The General Manager,  
Madurai District Milk Producers  
Co-operative Union (Aavin),  
Madurai-20.
3. Mariappan  
The Deputy Manager (Diary Engineering),  
Madurai District Milk Producers  
Co-operative Union (Aavin),  
Madurai-20.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents herein to conduct enquiry and take necessary action in charges pending against the third respondent within a time stipulated by this Court on considering the representation made by the petitioner to the respondents 1 and 2 dated 20.02.2018.

For Petitioner : Mr.M.Muthusamy

For R1 and R2 : Mr.M.Murugan  
Government Advocate

**ORDER**

The petitioner is an elected board member of the second respondent society. According to the petitioner, the third respondent had committed certain acts of delinquency. Therefore, the petitioner has given a representation for taking action against the third respondent. Since no action has been taken by the first and second respondents, the present writ petition has been filed.



2. The writ petitioner's rights are in no way infringed. The third respondent is an employee of the second respondent. Whether to take action against the third respondent or not, ought to be left to the discretion of the concerned management.

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3. Admittedly, the writ petitioner is a part of the management. It is for him to raise the matter during the board meeting. Therefore, he cannot maintain a Writ of Mandamus in this regard. Absolutely, the petitioner has no *locus standi*, whatsoever to come before this Court. The writ petition is accordingly dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Registrar (Diaring)  
Madurai Aavin Complex,  
Madurai.
2. The General Manager,  
Madurai District Milk Producers  
Co-operative Union (Aavin),  
Madurai-20.

+ 1 cc TO The Special Government Pleader in SR No. 55640

rmi

AE/SV MMS/SAR1/07.05.2018/2P/4C

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