



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

WP (MD) No.5559 of 2018
and
WMP(MD)Nos.5455 to 5457 of 2018

J.Shaji Kumar

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
near Collectorate,
Nagercoil,
Kanyakumari District.

2.Kalkulam Vilavancode Taluk
Agricultural Producer's Co-operative Marketing
Society Ltd., No.Y-285,
rep.by its Secretary,
Marthandam,
Kanyakumari District.

3.The Managing Director,
Kalkulam Vilavancode Taluk
Agricultural Producer's Co-operative Marketing
Society Ltd., No.Y-285,
Marthandam,
Kanyakumari District.

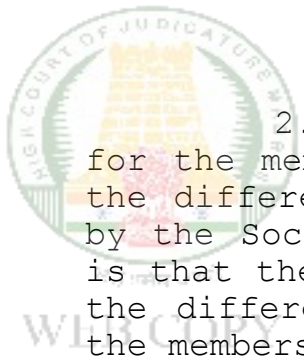
... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorarified mandamus to call for the records on the file of the third respondent pertaining to its notification dated 23.02.2018 published in Daily Thanthi dated 27.02.2018 and to quash the same and consequently forbear the respondents from including any members in the voters' list who have paid the subscription pursuant to the said notification without obtaining the approval from the board.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

This writ petition has been filed challenging the notification issued by the third respondent/Managing Director, Kalkulam Vilavancode Taluk Agricultural Producer's Co-operative Marketing Society Ltd., No.Y-285, Marthandam, in a paper publication.



2.As per the notification, the third respondent has called for the members of the above Co-operative Marketing Society to pay the difference of subscription amount as per the resolution passed by the Society on 08.11.2013. Now, the grievance of the petitioner is that the third respondent has no power to ask the members to pay the difference subscription. Apart from that, the time granted to the members is also too short.

3.A perusal of the notification, it is seen that already the General Body of the third respondent Marketing Society, has passed a resolution on 08.11.2013, increasing the subscription of the members to Rs.110/- and the impugned paper publication issued by the third respondent, calling the members of the said Society to pay subscription as per the resolution dated 08.11.2013, is only the request made by the third respondent to the members, those who are not paid the revised subscription as per the resolution. I find nothing wrong in the request made by the third respondent and I find no merit in the writ petition.

4.This Writ petition is dismissed accordingly. No costs. Consequently, WMP(MD)Nos.5455 to 5457 of 2018 are closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

- 1.The Joint Registrar of Co-operative Societies,
near Collectorate,
Nagercoil,
Kanyakumari District.
- 2.The Secretary,
Kalkulam Vilavancode Taluk,
Agricultural Producer's Co-operative Marketing
Society Ltd., No.Y-285,
Marthandam, Kanyakumari District.
- 3.The Managing Director,
Kalkulam Vilavancode Taluk
Agricultural Producer's Co-operative Marketing
Society Ltd., No.Y-285,
Marthandam,
Kanyakumari District.

+1cc to Special Government Pleader, SR.No. 55956

+1cc to M/S.S.C.Herold Singh, Advocate SR.No. 55374

WP(MD)No.5559 of 2018
15.03.2018