



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.12061 of 2018

Poosai Thevar

... Petitioner

vs.

1. The Registrar
Co-Operative Society Registrar Officer
Registrar Special Office
Keelpakkam, Chennai- 10.
2. The Joint Registrar
Co-operative Society Office
Opp. Woman's College
Collectorate Campus
Sivagangai, Sivagangai District.
3. The Deputy Registrar
Co-operative Society Office
Opp. Woman's College
Collectorate Campus
Sivagangai, Sivagangai District.
4. Mari
5. Adaikalam
6. The Q.1248 Kannamangalam
Primary Agricultural Co-operative Credit Society
Pudur viz
Elayankudi Taluk
Sivagangai District (rep by Govindan, Secretary)
7. T. Vijaya
8. S.Tamilarasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to appoint enquiry officer U/s.81 of Tamil Nadu Co Operative Society Act regarding removal of 284 members and misappropriation of paddy crop insurance amount in the sixth respondent and consider the Petitioner's representation dated



For Petitioner
For RR 1 to 3

: Mr.S.Pugalendhi
: Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

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Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice for the respondents 1 to 3. Notice to the respondents 4 to 8 is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 23.05.2018 seeking to direct the second respondent to appoint enquiry officer U/s.81 of Tamil Nadu Co Operative Society Act regarding removal of 284 members and misappropriation of paddy crop insurance amount in the sixth respondent, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 23.05.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 4 to 8 and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

1. The Registrar
Co-Operative Society Registrar Officer
Registrar Special Office
Keelpakkam, Chennai- 10.

2. The Joint Registrar
Co-operative Society Office
Opp. Woman's College
Collectorate Campus
Sivagangai, Sivagangai District.

3. The Deputy Registrar
Co-operative Society Office
Opp. Woman's College
Collectorate Campus
Sivagangai, Sivagangai District.

+1cc to Mr.S.Pugalendhi, Advocate Sr.No.67228

Aav

MK/SV MMS/SAR 2/18.06.2018/3P/5C

W.P. (MD) No.12061 of 2018
07.06.2018