



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 04.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.18416 of 2018

N.Krishnasamy

..Petitioner

Vs

1.The Registrar of Cooperative Societies(Housing),
Tamil Nadu Cooperative Housing Societies Complex,
Second Floor, No.48, Ritharton Road,
Vepperi, Chennai - 600 007.

2.The Regional Deputy Registrar of Cooperative Societies
(Housing),
Remalingasamy Charitable Building Campus,
Daniel Thomas Nagar, Medical College Road,
Opposite to Old Housing Unit,
Thanjavur, Thanjavur District - 613 007.

3.The President,
T.834, Shanmuga Nagar Cooperative Building Society Limited,
Opposite to Kundavai Natchiar Women's College,
Kannan Nagar, Thanjavur,
Thanjavur District.

4.The Secretary,
T.834, Shanmuga Nagar Cooperative Building Society Limited,
Opposite to Kundavai Natchiar Women's College,
Kannan Nagar, Thanjavur,
Thanjavur District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 and 2 to consider and pass appropriate orders on the Petitioner's representation dated 13.7.2018 by implementing the proposal sent by the respondents 3 and 4 dated 30.01.2017.

For Petitioner :Mr.R.Thangapandian

For Respondents :Mr.K.Mu.Muthu
1 to 4 Addl. Govt.Pleader

ORDER

The Petitioner has come forward with this Writ Petition seeking issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider and pass appropriate orders on the Petitioner's

representation dated 13.7.2018 by implementing the proposal sent by the respondents 3 and 4 dated 30.01.2017.

2.The Writ Petition will not lie against a Cooperative society, in view of the dictum laid down in the case of *Marappan .vs. The Deputy Registrar of Co-operative Societies, Namakkal reported in 2006(4) CTC 689*. Moreover, the relief is sought for is only against the respondents 3 and 4 and even if the Writ Petition is maintainable, the Petitioner has to approach the authority concerned under Section 156 of the Tamil Nadu Co-operative Societies Act, 1983 and his request was rejected based on audit objection and that the said order has not been challenged by the Petitioner.

3.In view of the above, the Writ Petition stands dismissed. No costs.

Sd/
Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar (CS-I)

To

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Thanjavur District.
- +1cc to Mr.R.THANGAPANDIAN, Advocate, SR.No.82289
+1cc to M/s.Special Government Pleader,SR.No. 82524

W.P(MD)No.18416 of 2018
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