



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2018

CORAM:

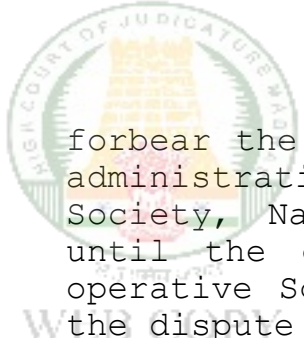
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.18778 of 2018
and
WMP(MD)No.16635 of 2018

P.C.Uma Selvam ... Petitioner

vs.

- 1.The Tamil Nadu State Cooperative Societies
Election Commission,
rep.by its Commissioner,
No.273, Kamadhenu Supermarket,
1st floor, Annasalai,
Chennai - 600 018.
- 2.The Registrar of Cooperative Societies,
Office of the Registrar of Cooperative Societies,
Kilpauk,
Chennai - 10.
- 3.The Assistant Director of Fisheries,
O/o.the Assistant Director of Fisheries,
1st floor, Taluk Office Campus,
Rameswaram,
Ramanathapuram District.
- 4.The Election Officer,
Inspector of Fisheries,
RMM1 Natrajapuram Fishermen Cooperative Society,
1st floor Taluk Office Campus,
Rameswaram,
Ramanathapuram District.
- 5.The RMM1 Natrajapuram Fishermen Cooperative Society,
rep.by its President,
U.Singaraj
Natarajapuram,
Rameswaram Taluk,
Ramanathapuram District. ... Respondents



forbear the respondent No.5 and other board members from discharging administrative functions of the RMM1 Natraajapuram Fishers Cooperative Society, Natraajapuram, Rameswaram Taluk, Ramanathapuram District until the orders passed under section 90 of the Tamil Nadu Co-operative Societies Act, 1983 by the respondent No.2 with regard to the dispute relating to constitution of board.

For Petitioner : Mr.T.Lajapathi Roy
 For Respondents : Mr.K.Chellapandian
 Additional Advocate General,
 assisted by Mr.A.K.Baskarapandian
 Special Government Pleader

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

This is a second round of litigation in pursuant to the order passed by this Court, by which, the petitioner was given liberty to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. He accordingly did it. Now, the grievance of the petitioner is that pending adjudication under Section 90 of the Act, the elected officer bearers are in the process of misusing the funds.

2.We are not inclined to entertain this writ petition. If the elected office bearers are misusing the funds, remedy lies elsewhere. Therefore, this writ petition is not maintainable, especially when proceedings under Section 90 of the said Act is stated to be pending at the instance of the petitioner. However, liberty is given to the petitioner to work out his remedy in the event of any misuse of the funds of the society by the office bearers.

3.The Writ Petition is dismissed accordingly. No costs. Consequently, WMP(MD)No.16635 is closed.

Sd
 ASSISTANT REGISTRAR (CS III)

TRUE COPY

SUB ASSISTANT REGISTRAR(CS IV)

mj

To

1.The Commissioner,
 Tamil Nadu State Cooperative Societies
 Election Commission,
 No.273, Kamadhenu Supermarket,
 1st floor, Annasalai,
 Chennai - 600 018.



2.The Registrar of Cooperative Societies,
Office of the Registrar of Cooperative Societies,
Kilpauk, Chennai - 10.

3.The Assistant Director of Fisheries,
O/o.the Assistant Director of Fisheries,
1st floor, Taluk Office Campus,
Rameswaram, Ramanathapuram District.

4.The Election Officer,
Inspector of Fisheries,
RMM1 Natraajapuram Fishermen Cooperative Society,
1st floor Taluk Office Campus,
Rameswaram, Ramanathapuram District.

5.The President,
RMM1 Natraajapuram Fishermen Cooperative Society,
U.Singaraj
Natarajapuram, Rameswaram,
Ramanathapuram District.

1CC TO MR. T.LAJAPATHI ROY, ADVOCATE SR 81077
1CC TO THE SPL GOVT PLEADER SR 81664

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