



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

CORAM:

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

W.P. (MD) No.19551 of 2018
and
WMP (MD) No.17347 of 2018

K.Chelliah

... Petitioner

vs .

1. The Registrar of Cooperative Societies,
170, Periyar EVR Highways,
Chennai - 600 01.
2. The Election Commissioner,
rep.by its Secretary,
Tamil Nadu State Cooperative Societies,
No.273, Annasali,
Tenyampet,
Chennai - 600 018.
3. The District Registrar of Cooperative Societies,
Sivagangai,
Sivagangai District.
4. The Joint Registrar,
Tamil Nadu Cooperative Societies,
Sivagangai,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to forward the petitioner's representations dated 04.05.2018 and 07.05.2018 to the Hon'ble Chair person for south Zone within a time as stipulated by this Court.

For Petitioner
For Respondents

: Mr.P.Gunasekaran
: Mr.K.Chellapandian
Additional Advocate General
assisted by Mr.A.K.Baskarapandian
Additional Government Pleader

**ORDER**

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

The issue raised in this writ petition is already covered by the order of this Court in W.P(MD)Nos.15520, 17927 and 17928 of 2018 dated 14.08.2018, wherein, it has been held as follows:

"3. Similarly, it is the case of the petitioner in W.P.(MD).No.17927 of 2018 that he and 10 others were already declared as members. This was challenged before the Hon'ble Division Bench, which passed a comprehensive order on 03.08.2018 giving directions to approach the Hon'ble Committee constituted for the said purpose.

4. However, in the meanwhile, by a unilateral order, the elections were set aside, without affording an opportunity of hearing to them, who are the elected persons and without assigning any reasons.

5. Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.A.K.Baskarapandian, learned Special Government Pleader for the official respondents, would fairly submit that in view of the decision of the Division Bench of the Principal Seat of this Court, the order under challenge in these Writ Petitions cannot be sustained.

6. In such view of the matter, the impugned proceedings are set aside for want of notice and not containing any reasons. However, this order will not stand in the way of the fourth respondent herein from ventilating grievances before the Hon'ble Committee.

The Writ Petitions are allowed, as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed."

2.The learned counsel appearing for the petitioner submitted that complaint is pending consideration and the present writ petitioner is also one of the respondents in W.P(MD)No.15520 of 2018.

3.Hence, this writ petition is disposed of in the light of the order passed in W.P(MD)Nos.15520, 17927 and 17928 of 2018 dated 14.08.2018. No costs. Consequently, WMP(MD)No.17347 of 2018 is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)



1. The Registrar of Cooperative Societies,
170, Periyar EVR Highways,
Chennai - 600 01.
2. The Election Commissioner,
rep.by its Secretary,
Tamil Nadu State Cooperative Societies,
No.273, Annasali,
Tenyampet,
Chennai - 600 018.
3. The District Registrar of Cooperative Societies,
Sivagangai,
Sivagangai District.
4. The Joint Registrar,
Tamil Nadu Cooperative Societies,
Sivagangai,
Sivagangai District.

+ 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 83862

MJ

TE/SKN/SAR-1 : 27/09/2018 : 3P/6C

W.P. (MD) No.19551 of 2018
10.09.2018