

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.1874 of 2019

N.Kamalakkannan

... Petitioner

/versus/

- 1.The Director,
Fisherman Co-operative Society,
485, V Floor, MTB Building,
Anna Salai, Anna Colony,
Nandanam, Chennai-600 035.
- 2.The Assistant Director,
Fisherman Co-operative Society,
No.517, East Sea Shore,
Neelankarai, Thiruvannamiyur,
Chennai-600 041.
- 3.Mr.M.Arumugam
Kanathur Reddy Kuppam-
Fisherman Cotton Co-operative Society,
G1403, Kanathur Reddy Kuppam,
Kancheepuram District-603 112. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st & 2nd respondents to consider the petitioner's representation dated 26.11.2018 and dispose the same within a reasonable time and consequently direct the 3rd respondent to convene the General Body Meeting to provide his majority among the Membership of Kanathur Reddy Kuppam Fisheries (Cotton) Co-operative Sangam.

For petitioner : Mr.M.Chidambaram

For Respondents : Mr.L.P.Shanmugasundaram
Spl.Govt.Pleader for R1 & R2
No appearance for R3

O R D E R

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 & 2.

2. The grievance of the petitioner is that the representation given by the petitioner herein on 26.11.2018 to the 1st and 2nd respondents to direct the 3rd respondent to convene General Body Meeting to prove his majority not considered.

3. In spite of notice, the respondents 1 and 2 have not filed counter even after two adjournments. Clause 27 of the bye-laws of the Society in mandates the General Body Meeting has to be convene, if more than 15 members demand for a General Body Meeting.

4. In this case, nearly 100 members have made a request to convene General Body Meeting. However, the 3rd respondent has not cared to call for a General Body Meeting. This matter has been brought to the notice of the 1st respondent dated 26.11.2018. The 1st respondent, who is the competent person to call for a General Body Meeting as per bye-laws, has not acted upon the representation. It appears that none of the respondents have any interest to convene General body Meeting in spite of request by the required number of members. Hence, it is necessary to direct the 1st respondent to look into the representation of the petitioner's dated 26.11.2018 and direct the 3rd respondent to convene the General Body Meeting within a period of 30 days from the date of receipt of copy of this order.

5. With the above observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl
To

1.The Director,
Fisherman Co-operative Society,
485, V Floor, MTB Building,
Anna Salai, Anna Colony,
Nandanam, Chennai-600 035.

2.The Assistant Director,
Fisherman Co-operative Society,
No.517, East Sea Shore,
Neelankarai, Thiruvanniyur,
Chennai-600 041.

+lcc to the Government Pleader Sr.73392
+lcc to M/s.M.Chidambaram, Advocate Sr.72528

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srg 01/10/2019



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