

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18937 of 2011  
and M.P.No.1 of 2011

J.Benavanthur Raj  
S/o.(Late) P.Joseph

...Petitioner

Versus

1.The Registrar of Co-operative Societies,  
N.V.N.Natarajar Maligai,  
Kilpauk,  
Chennai-10.

2.The Deputy Registrar of Co-operative Societies,  
Nagercoil 629 001.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the 1<sup>st</sup> respondent to consider the Revision Petition dated 16.06.2011 filed by the petitioner under Section 153 of the Tamil Nadu Co-operative Societies Act and pass orders on merits by hearing the parties within a stipulated period.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mrs.T.Girija

Government Advocate  
(Co-operative Societies)

ORDER

This writ petition has been filed seeking to direct the 1<sup>st</sup> respondent to consider the Revision Petition dated 16.06.2011, filed by the petitioner under Section 153 of the Tamil Nadu Co-operative Societies Act and pass orders.

2.The petitioner is the Chief Promoter of Kanyakumari District Self-Finance Colleges Employees Co-operative Thrift and Credit Society. The said Society was promoted with an intention to provide service to the employees of self-finance colleges. Though, there are about 156 self financing colleges functioning in the District, only one Co-operative Society is registered in Thucklay. Therefore, the petitioner promoted the said Society in order to cater the needs of many employees of self-finance

colleges and many employees have joined as members of the society. While so, the Secretary of the rival society has made a complaint that there cannot be two societies in one District. Based on the complaint, the 2<sup>nd</sup> respondent issued show cause notice dated 21.07.2010, to review the registration and without considering the explanation given by the petitioner, the 2<sup>nd</sup> respondent issued an order in proceedings dated 06.08.2010 dissolving the society and thereafter the petitioner could not run the society. Aggrieved by the said proceedings, the petitioner filed a revision petition before the 1<sup>st</sup> respondent on 16.06.2011 under Section 153 of the Tamil Nadu Co-operative Societies Act and also filed a stay petition. Since no orders have been passed, the petitioner has filed the present petition with the aforesaid prayer.

3. Heard Mr.R.Prem Narayan, learned counsel appearing for the petitioner and Mrs.T.Girija, learned Government Advocate appearing for the respondents.

4. The learned counsel for the petitioner submitted that the revision petition under Section 153 of the Tamil Nadu Co-operative Societies Act is filed as early as in the year 2011. Till now, the 1<sup>st</sup> respondent has not disposed of the same. Hence, he prays for a direction to the 1<sup>st</sup> respondent to dispose of the above revision petition as early as possible.

5. The learned Government Advocate appearing for the respondents - Co-operative Societies acceded to the submission made by the learned counsel for the petitioner and submitted that this court may issue direction to the 1<sup>st</sup> respondent to dispose of the revision petition filed under Section 153 of the Act.

6. In view of the limited prayer sought for by the petitioner, this Court is inclined to issue direction to the 1<sup>st</sup> respondent to dispose of the revision petition filed by the petitioner under Section 153 of the Tamil Nadu Co-operative Societies Act, and dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order, if not already disposed.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Registrar of Co-operative Societies,  
N.V.N.Natarajar Maligai,  
Kilpauk,  
Chennai-10.

2.The Deputy Registrar of Co-operative Societies,  
Nagercoil 629 001.

+1 cc to The Special Government Pleader, Sr.No. 72666

AKM/20.09.19/3P-4C /

W.P.No.18937 of 2011



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