

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.31477 of 2019
and W.M.P.No.31648 of 2019

P.S.Padmanabhan

.. Petitioner

/versus/

1. The Central Registrar of Co-operative Societies,
(L & M Section) Ministry of Agriculture,
Department of Co-operation,
Krishi Bhavan, Dr.Rajendra Prasad Road,
New Delhi-110 001.
2. The Director (Co-operation),
Government of India,
Ministry of Agriculture and Farmers Welfare,
Department of Agriculture,
Co-Operation and Farmers Welfare,
Krishi Bhavan, Dr.Rajendra Prasad Road,
New Delhi-110 001.
3. The Secretary,
Indian Oil Corporation Employees'
Co-operative Society Ltd.,
139, Mahatma Gandhi Road,
Nungmabakkam, Chennai-600 034.
4. The Board of Directors
Represented by its President,
Mr.D.Samson, Indian Oil Corporation Employees'
Co-operative Society Ltd., 139, Mahatma Gandhi Road,
Nungmabakkam, Chennai-600 034.

.. Respondents

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, forbearing the 4th respondent Board of Directors from conducting the proposed Golden Jubilee Celebrations on 10.11.2019 or at any date before conclusion of the Arbitral proceedings in ARC.No.19 of 2018 pending at present on the file of the sole Arbitrator Shri.N.Poovanalingam.

For Petitioner : Mr.T.P.Prabakaran

For Respondent : Mr.S.Makesh,
CGSC for R1 & R2

O R D E R

By consent, the main writ petition is taken up for disposal at the admission stage itself.

2. The petitioner is aggrieved by the 4th respondent proposal to conduct Golden Jubilee Celebration on 10.11.2019, when the matter regarding their eligibility to hold the post as Board of Directors is pending before the Arbitrator.

3. The matter is in respect of the Co-operative society of Indian Oil Corporation Employees'. The authority of the 4th respondent is under challenge before the Arbitrator and any activity of the 4th respondent can be agitated only before the Arbitrator as an interlocutory relief. Writ petition against the decision of the Board of Directors of a Co-operative society regarding the proposed meeting to celebrate Golden Jubilee is not a matter, which falls within the scope of Article 226 of the Constitution of India. More particularly, the dispute is pending before the Arbitrator.

4. Hence, this writ petition stands dismissed as not maintainable. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rpl

To

1. The Central Registrar of Co-operative Societies,
(L & M Section) Ministry of Agriculture,
Department of Co-operation,
Krishi Bhavan, Dr.Rajendra Prasad Road,
New Delhi-110 001.

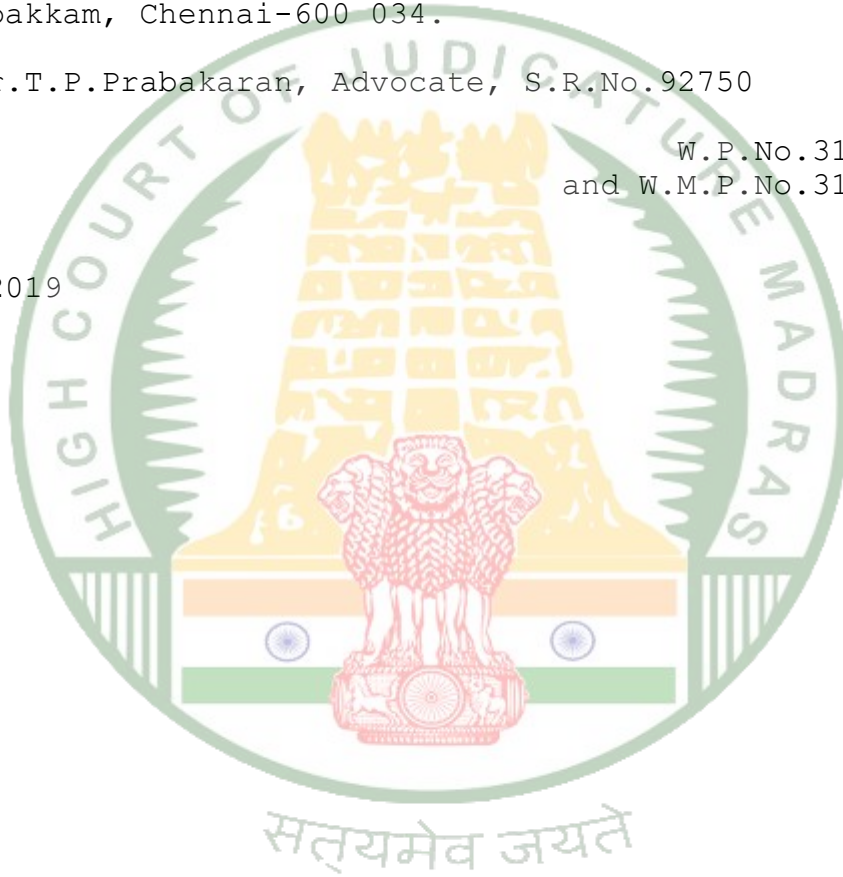
2. The Director (Co-operation),
Government of India,
Ministry of Agriculture and Farmers Welfare,
Department of Agriculture,
Co-Operation and Farmers Welfare,
Krishi Bhavan, Dr.Rajendra Prasad Road,
New Delhi-110 001.

3. The Secretary,
Indian Oil Corporation Employees'
Co-operative Society Ltd.,
139, Mahatma Gandhi Road,
Nungmabakkam, Chennai-600 034.

+1cc to Mr.T.P.Prabakaran, Advocate, S.R.No.92750

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MR(CO)
CS/11/12/2019



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