

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.31527 of 2018

R.Eswaran

..Petitioner

Vs

1.The Registrar

Cooperative Society
No.170-N.V.Natarajan Maaligai
Pondamalli High Road
Kilpauk,
Chennai-600 010

2.The Joint Registrar

Co-operative Society
Co-operative Marketing Society
Building Complex
Tiruppur.

3.The Deputy Registrar

Cooperative Society
Opp, to DSP Office
Dharapuram, Tiruppur District

4.The Special Officer

AA.314-Selampalayam Cooperative Credit Society
Dharapuram Taluk
Tiruppur District

5.K.Kathirvel

..Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 4 to take appropriate action on the 5th respondent by considering representation dated 16.10.2018.

For Petitioner :Mr.N.Ponraj

For Respondents:Mr.Bala Ramesh, Special Govt.Pleader

for R1 to R3.

Mr.A.K.Sridharan for R4

Mr.N.Sakthivel for R5.

ORDER

The Prayer in the Writ Petition is to issue a writ of Mandamus to direct respondents 1 to 4 to take appropriate action on the 5th respondent by considering representation dated

16.10.2018.

2. The Petitioner is a farmer doing agricultural activities and one of the member of 4th respondent Cooperative Credit Society namely AA.314-Selampalayam Cooperative Credit Society. The Petitioner made allegations against the 5th respondent stating that due to unlawful gain in granting subsidy and various illegal activities, the benefits of the 4th respondent Society could not be granted to the members of the society.

3. The learned Special Government Pleader appearing for respondents 1 to 3 would submit that the 4th respondent is the appropriate authority to consider the representation dated 16.10.2018 and take steps in this matter.

4. Mr.A.K.Sridharan, learned counsel for 4th respondent would submit that the representation of the Petitioner dated 16.10.2018 will be considered, in accordance with law.

5. At this stage, the learned Special Government Pleader would submit that if the Petitioner is aggrieved by the Promotion of the 5th respondent, the petitioner will have the remedy under Section 153 of the Tamil Nadu Cooperative Societies Act. This court also perused the Counter affidavit of 4th and 5th respondents, produced before this court.

6. Recording the aforesaid submission of the learned Special Government Pleader and counsel for respondents 4 and 5, without expressing any opinion on the merits of the case, the 4th respondent is directed to consider the representation of the Petitioner dated 16.10.2018 in accordance with law. Needless to state that the Petitioner shall send a copy of the representation dated 16.10.2018 along with a copy of this order to the 4th respondent, within a period of two weeks from the date of receipt of a copy of this order. The 4th respondent shall carry out the above said exercise, within a period of twelve weeks thereafter.

7. The Writ Petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

nvsri

To

1.The Registrar
Cooperative Society
No.170-N.V.Natarajan Maaligai
Pondamalli High Road
Kilpauk,
Chennai-600 010

2.The Joint Registrar
Co-operative Society
Co-operative Marketing Society
Building Complex
Tiruppur.

3.The Deputy Registrar
Cooperative Society
Opp, to DSP Office
Dharapuram, Tiruppur District

4.The Special Officer
AA.314-Selampalayam Cooperative Credit Society
Dharapuram Taluk
Tiruppur District

+1 CC to Mr.N.Sakthivel, Advocate sr 11932.

+1 CC to Mr.A.K.Sridharan, Advocate sr 11452.

WP.No.31527 of 2018

GJ(CO)
SP(19/03/2019)

सत्यमेव जयते

WEB COPY