

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.11741/2020 & WMP.No.14433/2020

K.Chellammal

.. Petitioner

Versus

1.The Joint Registrar of Cooperatives/Revision Judge
Erode Region, Erode.

2.The Deputy Registrar of Cooperatives,
Erode Circle, Erode.

3.K.Manoharan

4.J.Jeyasingh Simon Samraj

5.P.Anandan

6.N.Banu

7.M.Palanisamy

8.S.Poongodi

9.A.Babykannu

10.A.Rangasamy

11.P.Subbulakshmi

.. Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to furnish appeal papers pending in Na.Ka.No.1547/2018/Sa.Pa on the file of the 1st respondent.

For Petitioner : Mr.C.Pushparaj for

Mr.E.P.Senniyangiri

For RR 1 & 2 : Mr.L.P.Shanmugasundaram

Special Government Pleader[Coop.]

ORDER

(1) This writ petition has been filed for the issue of a writ of mandamus, directing the 1st respondent to furnish to the petitioner, copy of the appeal papers pertaining to the appeal pending before the 1st respondent Na.Ka.No.1547/2018/Sa.Pa.

(2) The case of the petitioner is that there is an election dispute which was enquired by the Deputy Registrar and an order was passed on 26.10.2017, setting aside the election that was held on 07.07.2017. This order became the subject matter of

challenge before this Court in WP.No.30160 of 2017 and this Court, vide order dated 18.12.2017, directed the Deputy Registrar of Cooperative Society to consider the issue afresh and pass orders after giving an opportunity to the parties. After the matter was remanded to the file of the 2nd respondent, the 2nd respondent after affording opportunity to all the parties, passed an order dated 31.01.2018, setting aside the election. This was put to challenge by way of revision petition filed before the 1st respondent. The grievance of the petitioner is that this appeal was filed by respondents 4 to 12 and the petitioner who is also the interested party, has not been put on notice and he was not even added as a party.

- (3) The petitioner approached this Court and filed WP.No.25122 of 2018 and this Court, by an order dated 24.10.2018, directed the 1st respondent to issue notice to the petitioner and also hear the petitioner before final orders are passed in the revision petition.
- (4) The grievance of the petitioner is that the petitioner has not been furnished with the relevant papers that was filed in the revision petition. Aggrieved by the same, the present writ petition has been filed before this Court.
- (5) Heard Mr.C.Pushparaj, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop.] for respondents 1 and 2.
- (6) Taking into consideration the facts and circumstances of the case and the earlier order passed by this Court in WP.No.25122 of 2018, there shall be a direction to the 1st respondent to afford sufficient opportunity to the petitioner by furnishing her with all necessary papers and thereafter, proceed further with the enquiry and pass final orders. Except giving this direction, no further orders can be passed in this writ petition. The petitioner is also directed to make a fresh representation to the 1st respondent along with a copy of this order.
- (7) This writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

AP

To

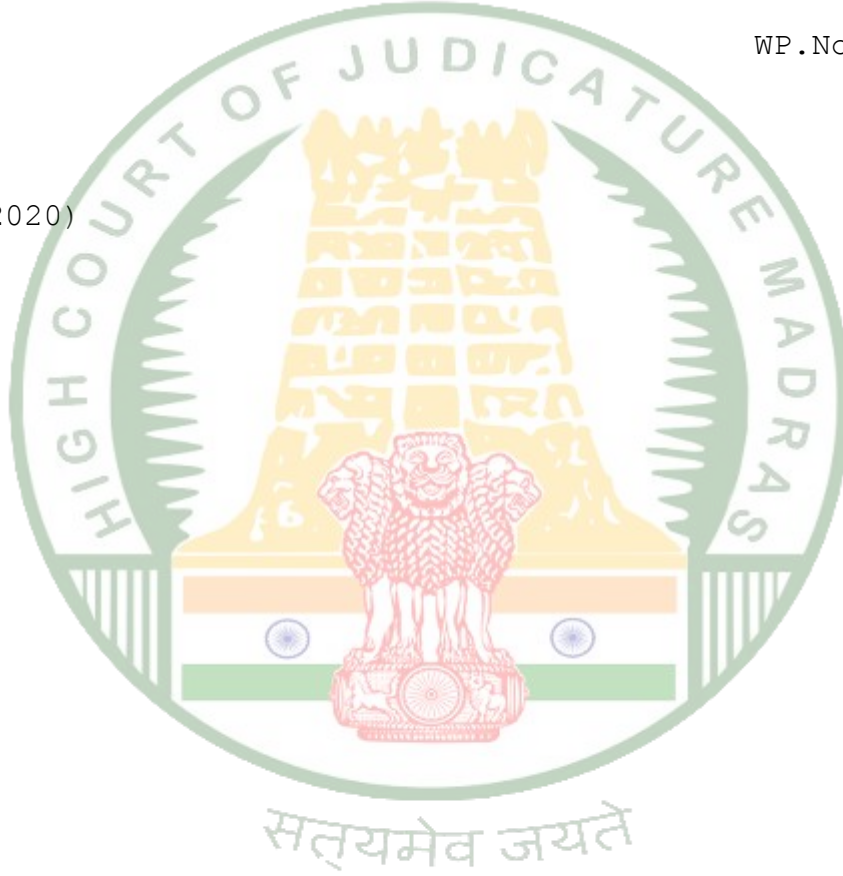
1. The Joint Registrar of Cooperatives/Revision Judge
Erode Region, Erode.

2. The Deputy Registrar of Cooperatives,
Erode Circle, Erode.

+1cc to the special Government Pleader, High Court, Madras,
Sr.No.29233

WP.No.11741/2020

MR (CO)
GS (19/10/2020)



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