

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WP No.12621 of 2020 and WMP No.15583 of 2020

1. R.Ramasamy
2. V.R.Duarisamy
3. C.Chinnasamy
4. S.Mahali
5. K.R.Palanisamy
6. V.S.Ramasamy
7. A.Sulochana

..Petitioner

.Vs.

1. The Joint Registrar of Co-operative Societies,
Tirupur.
2. The Deputy Registrar of Co-operative Societies,
Tirupur.
3. M.Saravanakumar

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioners representation dated 09.07.2020 in accordance with law, within a stipulated period.

For Petitioner : Mr. K.Govi Ganesan

For Respondent : Mr.Venkatachalam

Additional Government Pleader 1 & 2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to act upon the representation given by the petitioners on 09.07.2020 and to deal with the same in accordance with law and enforce the award passed by the arbitrator against the 3rd respondent.

2. The petitioners are the office bearers of A.Vadagupalayam Primary Agricultural Co-operative Credit society. According to the petitioners, the 3rd respondent was functioning as the Vice President and during his tenure, he had sanctioned loans against the rules and ultimately, the borrower

also committed default. Proceedings were initiated for the recovery of the amount and there are totally three awards that were passed on 20.07.2019. The grievance of the petitioners is that the awards have not been enforced till date and the 3rd respondent is not taking any steps to recover the amount. Therefore, left with no other alternative, the petitioners made a representation to the 1st respondent on 23.07.2019 and 19.07.2020, requesting for a direction to the 3rd respondent to enforce the awards. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

3. Heard the submissions of the learned counsel appearing for the petitioners and Mr.Venkatachalam, learned Additional Government Pleader appearing for the respondents 1 and 2.

4. Taking into consideration the facts and circumstances of the case and also of the fact that three awards have already been passed on 20.07.2019 and enforcement of these awards will ensure the money belonging to the society, coming back to the society, there shall be a direction to the 1st respondent to immediately act upon the representations made by the petitioners on 23.07.2019 and 19.07.2020 and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order. The petitioners are directed to make a fresh representation to the 1st respondent along with a copy of this order.

5. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Joint Registrar of Co-operative Societies,
Tirupur.

2. The Deputy Registrar of Co-operative Societies,
Tirupur.

1cc to Mr.K.Govi Ganesan, Advocate, Sr.No.30614

WP No.12621 of 2020

nmi (co)

rr ii (15/10/2020)