

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.16632 of 2020

and

WMP. No.20633 of 2020

K.Syed Sadik Basha

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Villupuram Zone, Villupuram.

2. The Deputy Registrar,
Office of the Deputy Registrar of Cooperative
Societies,
Jayapuram Colony,
Tindivanam.

3. The Co-operative Sub Registrar/Field Officer,
Gingee, Villupuram District.

4. The President,
CLSPL 61 Sathiyamangalam Primary Agricultural Co-operative
Credit Society Limited,
Sathiyamangalam Village and Post,
Gingee, Villupuram.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 17.10.2020 submitted in respect of the enquiry report purporting to be under Section 81 of the Tamil Nadu Co-operative Societies Act in respect of the 4th respondent Society, on its merits and in accordance with Section 81 of the Tamil Nadu Co-operative Societies Act and Rule 104 of the Tamil Nadu Co-operative Societies Rules.

For Petitioner : Mr.Balan Haridas

For Respondents: Ms.T.Girija - R1 to R3
Additional Government Pleader
Mr.L.P.Shanmugasundaram - R4
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to consider the representation made by the petitioner on 17.10.2020 and to pass orders in accordance with law within the time limit prescribed by this Court.

2. The case of the petitioner is that he is working as a Secretary in the 4th respondent Society. The petitioner made a representation on 17.10.2020 to the second respondent by pointing out that all the members have received the loan amount in full and also given a statement in that regard. It was also pointed out in the representation that the Central Bank had frozen the account of the members and as a result of which, the loan that is sought to be settled, is not able to be closed and the members are also not able to avail any fresh loan and therefore, the petitioner has requested the second respondent to defreeze the account. The grievance of the petitioner is that the second respondent has not considered his representation and left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.Balan Haridas, learned counsel for the petitioner, Mrs.T.Girija, learned Additional Government Pleader appearing on behalf respondents 1 to 3 and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing on behalf the first respondent.

4. Taking into consideration the facts and circumstances of the case and without going into the merits of the case and also considering the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 17.10.2020 strictly in accordance with law and orders shall be passed within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Joint Registrar of Co-operative Societies,
Villupuram Zone, Villupuram.

2. The Deputy Registrar,
Office of the Deputy Registrar of Cooperative
Societies,
Jayapuram Colony, Tindivanam.

3. The Co-operative Sub Registrar/Field Officer,
Gingee, Villupuram District.

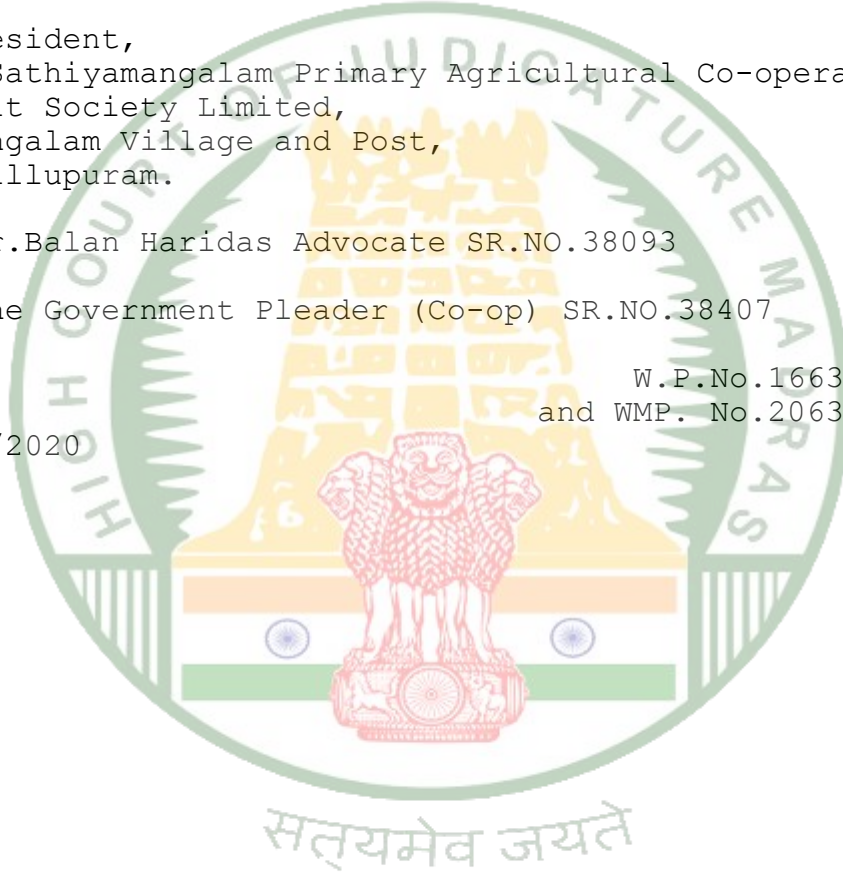
4. The President,
CLSPL 61 Sathiyamangalam Primary Agricultural Co-operative
Credit Society Limited,
Sathiyamangalam Village and Post,
Gingee, Villupuram.

+1cc to Mr.Balan Haridas Advocate SR.NO.38093

+1cc to the Government Pleader (Co-op) SR.NO.38407

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SDR 19/12/2020



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