

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17450 of 2020
and
W.M.P.No.21632 of 2020

Paramasivam
S/o.Arjunan,
No.190, Nedu Street,
Vannipet, Manakkanam Taluk,
Villupuram District 604 301.

...Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Department of Cooperation,
Fort St. George,
Chennai.

2.The Deputy Registrar for Cooperative Societies,
Tindivanam,
Jayapuram,
Tindivanam.

3.CLSPL 154 T.Brammadesam Primary Agricultural
Cooperative Thrift Society
Represented by its Secretary,
Brammadesam,
Marakkanam Taluk,
Villupuram District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records and order of the 2nd respondent dated 08.10.2020 in Na.Ka.No.2252/2020/SaPa2 and quash the same as illegal.

For Petitioner : Mr.J.Antony Jesus

For Respondents: Mrs.T.Girija, (for R1 & R2)
Additional Government Pleader

Mr.L.P.Shanmugasundaram
Special Government Pleader

ORDER

This Writ Petition has been filed against the proceedings initiated by the 2nd respondent based on the resolution passed by the administrative committee, wherein majority of the members have expressed no confidence against the petitioner.

2.The learned counsel for the petitioner raised several grounds and submitted that there is absolutely no ground for the 2nd respondent to proceed further, based on the notice given by the majority of the members and the grounds that are put against the petitioner does not warrant such no confidence.

3.In the considered view of this Court, the petitioner has already given reply for the show cause notice issued by the 2nd respondent on 27.10.2020 and it is for the 2nd respondent to consider the explanation given by the petitioner and take a decision strictly in accordance with law. At this stage, this Court is not inclined to interfere with the proceedings and any finding given by this Court will have a bearing on the proceedings initiated by the 2nd respondent.

4.In view of the above, the 2nd respondent is directed to consider the explanation given by the petitioner and take a decision strictly in accordance with law.

5.This Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
The Government of Tamil Nadu,
Department of Cooperation,
Fort St. George, Chennai.

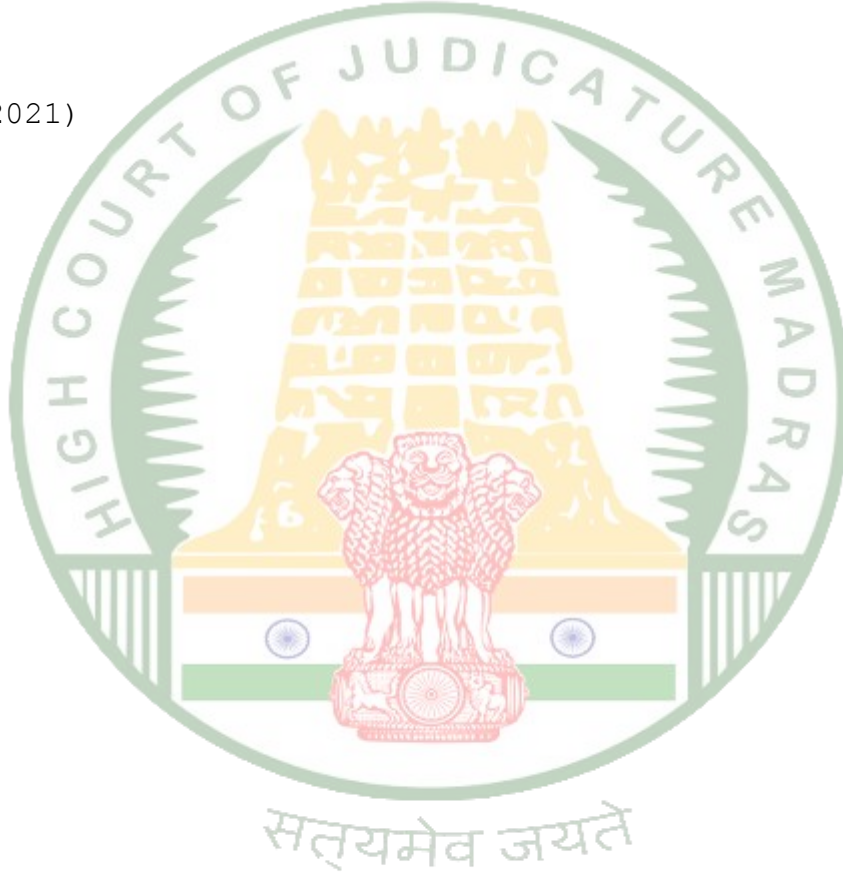
2.The Deputy Registrar for Cooperative Societies,
Tindivanam, Jayapuram,
Tindivanam.

3. The Secretary,
CLSPL 154 T.Brammadesam Primary Agricultural
Cooperative Thrift Society
Brammadesam,
Marakkanam Taluk,
Villupuram District.

+1cc to the Special Government Pleader(co-op), S.R.No.40063

W.P.No.17450 of 2020
and
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AJS (CO)
RV(05/01/2021)



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