



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD)No.12253 of 2020

and

W.M.P. (MD)No.10515 of 2020

WEB COPY

The Manamadurai 1016, Silanthakudi
Milk Producers Co-Operative Society,
Represented by its President,
V.Thangavelu.

... Petitioner

Vs.

The Deputy Registrar (Milk),
Manamadurai,
Sivagangai District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondent from insisting the petitioner society to give No Objection to form a new co-operative society at Silanthakudi Group and Nariyangudi Group revenue villages by considering the representation of the petitioner dated 13.08.2020.

For Petitioner	: Mr.J.Anandkumar
For Respondent	: Mr.E.Maressh Kumar

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing for the respondent.

2.The petitioner is a registered society. The petitioner's counsel states that the respondent is proposing to register another register for a self help group thereby overlapping a part of area operation of the writ petitioner. According to the petitioner's counsel, the proposed move of the respondent is in violation of Section 9 of Tamilnadu Cooperative Societies Act r/w. Rule 74 of the Tamilnadu Cooperative Societies Rules.

3.The objection of the petitioner's counsel is rather formidable. But then, as rightly contended by the learned standing counsel for the respondent, this writ petition has been prematurely filed. The respondent is a statutory authority. If the respondent passes any order in violation of the statutory provision, it is always open to the petitioner to challenge the same. This Court cannot assume at this moment that the respondent would commit an act of illegality. This is not a writ of prohibition. Therefore, reserving the rights of the writ petitioner, I dismiss the writ petition. I make it clear that I have not gone into the merits of



the matter. If the petitioner is aggrieved, it is always open to the petitioner to come before this Court at the appropriate time, once the cause of action ripens. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Deputy Registrar (Milk),
Manamadurai,
Sivagangai District.

W.P. (MD) No.12253 of 2020

22.09.2020

SCR(CO)

AP(29/09/2020) 2P 2C