



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Tenth day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP (MD) No.12873 of 2020

IN

Rev.Apl.No.Sr.40299 of 2020

S. PERIASAMY

... PETITIONER/PETITIONER

Vs

1 SHANMUGASUNDARAM

2 THE DIRECTOR OF HANDLOOM AND TEXTILES,
HANDLOOMS AND TEXTILES KURALAGAM,
IIND FLOOR, CHENAI-600 108.

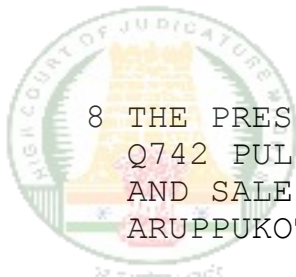
3 THE ASSISTANT DIRECTOR
HANDLOOM AND FABRIC THREAD,
VIRUDHUNAGAR VIRUDHUNAGAR DISTRICT.

4 THE PRESIDENT
A1364-PULIYAMPATTI NESAVALAR CO-OPERATIVE
PRODUCTION AND SALE SOCIETY LTD.
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

5 THE PRESIDENT
A1252 NESAVALAR CO-OPERATIVE PRODUCTION
ARUPPUKOTTAI TOWN, VIRUDHUNAGAR ROAD,
VIRUDHUNAGAR DISTRICT.

6 THE PRESIDENT
Q272 THIRUNAGARAM SAALIYAR NESAVALAR CO-OPERATIVE PRODUCTION
AND SALE SOCIETY LIMITED,
ARUPPUKOTTAI TOWN, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

7 THE PRESIDENT,
Q 254 POTTALUPATTI SENKUNDHAR NESAVALAR CO-OPERATIVE PRODUCTION
AND SALE SOCIETY LIMITED,
ARUPPUKOTTAI, VIRUDHUNAGAR ROAD,
VIRUDHUNAGAR DISTRICT.



8 THE PRESIDENT
Q742 PULIYAMPATTI SENKUNDHAR NESAVALAR CO-OPERATIVE PRODUCTION
AND SALE SOCIETY LIMITED,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

9 P.KATHIRESAN

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant leave to file the above review application against WP(MD)No.7286 of 2020 dated 21.08.2020 on the file of this Honourable Court.

Prayer in Rev.Apl.No.Sr.40299 of 2020:

To allow this Review Application by setting aside the Judgment made in WP(MD)No.7286 of 2020 dated 21.08.2020 on the file of this Hon'ble Court.

Prayer in WP(MD). 7286/ 2020 :

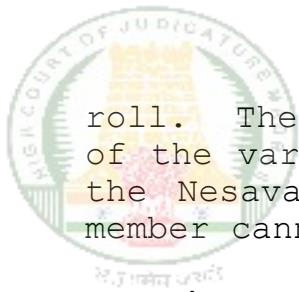
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a orders or directions or writs in the nature of **Writ of Certiorarified Mandamus** to call for the records pertaining to the impugned order of Na.Ka.No.10188/2019/E, dated 02-01-2020 passed by the 2nd Respondent and quash the same as consequently directing respondents 2 to 8 not to interfere in the petitioners weavers colony resident nominated/selected persons to administer and maintain the vacant land and other structure situated in the weavers colony, Madurai Road, West side, Aruppukottai, Virudhunagar District.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.THIRUNAVUKKARASU, Advocate for the petitioner and of MR.M.RAJARAJAN, Additional Government Pleader for Respondents 1 to 8 and Mr.SREENIVASAN, Advocate for the 9th Respondent, the Court made the following order:-

This miscellaneous petition has been taken out seeking leave to file review petition in respect of the order dated 21.08.2020 made in W.P.(MD)No.7286 of 2020.

2.Heard the learned counsel on either side.

3.The petitioner is a member of A1252 Aruppukottai Nesavalur Co-operative Production and Sale Society Limited. His membership number is 1453. He is aggrieved by the fact that while directing the authority to formulate the electoral list, I had directed that each house in Nesavalur Colony will carry one vote and that the head of the family will be entitled to cast the vote and that, the residents of the Nesavalur Colony alone can be in the said electoral



roll. The petitioner wants this Court to clarify that only members of the various Co-operative Societies which contributed for forming the Nesavalur Colony alone can be made a member and that, a non member cannot be included in the electoral roll.

4. I am of the view that the directions given in the said writ petition were for the benefit of all the residents of the Nesavalur Colony. That was why I had directed the Authority to prepare the list of the residents of the colony. The direction issued by me will be strictly confined to the Maintenance Committee alone. I make it clear that the order passed by me disposing of a writ petition will not have any bearing whatsoever on the rights of the members of the various Societies.

5. With this Clarification, this Miscellaneous Petition is disposed

sd/-
10/12/2020

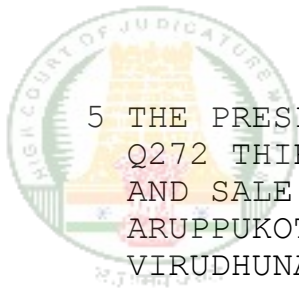
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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

- 1 THE DIRECTOR OF HANDLOOM AND TEXTILES,
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- 2 THE ASSISTANT DIRECTOR
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ORDER
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WMP(MD) No.12873 of 2020
IN
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Date :10/12/2020

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AE/JC/SAR-III (22.12.2020) 4P / 8C