



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.11.2020

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

WEB COPY

W.P. (MD) No.16238 of 2020
and W.M.P. (MD) Nos.13569 & 13570 of 2020

T.Mohan Raj

... Petitioner

Vs.

1.The Managing Director,
Southern Railway Employees Co-Operative Credit
Society Ltd.,
Rail Co-op Mansion, Dindigul Road,
Post Box No.9, Tiruchirapalli - 620001.

2.The Registrar,
Co-operative Society,
Subramaniyapuram, Trichy - 620020.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Circular No.537, dated 05.11.2020 passed by the first respondent and quash the same as illegal and consequently direct the respondents to settle dividend amount of the shareholders to the respective workers Bank Account.

For Petitioner : Mr.K.Gokul

For R1 : Mr.S.Manohar,
Standing Counsel.

For R2 : Mr.C.Ramesh,
Special Government Pleader.

ORDER

(This petition was heard through video conferencing)

This writ petition has been filed challenging the impugned circular, dated 05.11.2020 issued by the first respondent in circular No.537.

2.It is the case of the petitioner that in the impugned circular, dated 05.11.2020 issued by the first respondent, it has been stated that dividend payment voucher will be delivered to the

<https://hcservices.ecourts.gov.in/hcservices/>



members of the Dakshin Railway Karmik Sangh (D.R.K.S), Goldenrock Workshop Divisional Branch, Trichy-620004, at their respective working office premises. It is the case of the petitioner that the respondents should have deposited the dividend amount to the respective workers' accounts. As per the impugned circular, the members of the Dakshin Railway Karmik Sangh (D.R.K.S), have been directed to collect dividend amount from their respective working office premises. The petitioner has given representation, on 05.11.2020 to the respondents requesting them to deposit the dividend amount to the Bank account of the members directly. But, according to the petitioner, the said representation has not been considered till date by the respondents. In such circumstances, this writ petition has been filed challenging the impugned circular No.537, dated 05.11.2020 issued by the first respondent.

3.The learned counsel appearing for the petitioner, on instructions, would submit that the petitioner will be satisfied, if the representation of the petitioner, dated 05.11.2020 requesting the respondents to deposit the dividend amount directly to the Bank account of the respective members, is considered by the respondents.

4.Since the relief sought for by the learned counsel for the petitioner on behalf of the petitioner is an innocuous relief and no prejudice will be caused to the respondents, direction sought for by the learned counsel for the petitioner during the course of his submission made before this Court today, can be passed by this Court.

5.For the foregoing reasons, this Court directs the respondents to consider the petitioner's representation, dated 05.11.2020 requesting the respondents to settle the dividend amount of the shareholders to their Bank account directly and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

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, the copy of the order that is presented is the correct

<https://www.courts.madras.gov.in/htdocs/tns>



copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Managing Director,
Southern Railway Employees Co-Operative Credit
Society Ltd.,
Rail Co-op Mansion, Dindigul Road,
Post Box No.9, Tiruchirapalli - 620001.

2.The Registrar,
Co-operative Society,
Subramaniyapuram, Trichy - 620020.

+1 CC to M/s.GP (SR-22055[F] dated 18/11/2020)

W.P. (MD) No.16238 of 2020
11.11.2020

CK(CO)
KK(18.11.2020) 3P 4C