



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.Nos. 13883, 13885, 13886, 13887 and 13889 of 2021
and
WMP.Nos. 14748, 14751, 14754, 14757 and 14760 of 2021

S.Shanmugan	... Petitioner in WP No.13883 of 2021
R.Gopal	... Petitioner in WP No.13855 of 2021
R.V.Mahalingam	... Petitioner in WP No.13886 of 2021
R.Obulirajan	... Petitioner in WP No.13887 of 2021
K.P.Sureshkumar	... Petitioner in WP No.13889 of 2021

-vs-

1. The Principal Secretary to Government
Handlooms and Textiles Department
Fort St George Chennai- 9.
- 2 The Additional Director of
Handlooms and Textiles Department Kuralagam
Parrys Chennai- 8.
- 3 Assistant Director of
Handlooms and Textiles Co-op Societies
Kumarapalayam Block Namakkal District.

...Respondents in WP Nos.13883,13886,13887 of 2020

1. The Principal Secretary to Government
Housing and Urban development
Dept. Fort St George Chennai-9.
- 2 The Registrar Housing Board
Office of the Registrar Housing Board Tamil Nadu
Co-op Society Housing Board Complex
Vepery Chennai-7.



3 Joint Registrar Housing Board
Co-Op Societies of Housing Board Salem
Zone Salem District.

...Respondent in WP No.13885 of 2021

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1. The Principal Secretary to Government
Industries Department Fort St
George Chennai- 9.
- 2 The Director of sugar
No.690 Annasalai Nandanam Aavin Complex
Chennai-35.

... Respondent in WP No.13889 of 2020

Prayer:

WP No.13883 of 2021:

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus Forbearing the respondent nos. 1 to 3 from dissolving the elected board of the Rasipuram Silk Handloom and Textiles Co-Operative Societies TH- 18 Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-op Societies Act 1983.

WP NO.13885 of 2021:

Forbearing the respondent nos. 1 to 3 from dissolving the elected board of the Rasipuram Housing Co- Operative Society Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-op Societies Act 1983.

WP NO.13886 of 2021:

Forbearing the respondent nos. 1 to 3 from dissolving the elected board of the Rasipuram Amma Cotton and silk Handloom Textile Co- Operative Society Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-op Societies Act 1983.

WP NO.13887 of 2021:

Forbearing the respondent nos. 1 to 3 from dissolving the elected board of the Dr.MGR Handloom and Textiles Co- Operative Societies TH 120 Rasipuram Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-op Societies Act 1983.



WP No.13889 of 2021

Forbearing the respondent nos. 1 to 2 from dissolving the elected board of the Salem Co- Operative Sugar Mill S. 1383Mohanur Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-op Societies Act 1983.

For Petitioners
(in all Wps) : Mr.V.Janarthanan

For Respondents : Mr.A.Selvendran, Government Advocate
(in all Wps)

COMMON ORDER

These writ petitions have been filed by the elected office bearers of the Cooperative Societies, seeking for a direction forbearing the respondents from dissolving the elected board of the Rasipuram Silk Handloom and Textiles Co-operative Societies TH 18, Namakkal District in unlawful manner without following the due process enshrined in the Tamilnadu Co-operative Societies Act, 1983.

2. Heard Mr.V.Jananrthanan, learned counsel appearing for the petitioners and Mr.A.Selvendran, learned Government Advocate appearing for the respondents.

3. The relief sought for in these writ petitions have been elaborately considered and passed common order by this Court in W.P.Nos. 12706 of 2021 etc., batch dated 05.07.2021. The said order is squarely applies to the facts of these present cases. The relevant portion of the order is extracted below;

13.....Therefore, it is for the authorities concerned to enquire into the irregularities committed by any office bearers of the Societies and to take action against the office bearers concerned by following the procedures contemplated under the Tamil Nadu Cooperative Societies Act, 1983 and Rules, 1988. Hence, at this stage, this Court will not wish to decide the allegations of the petitioners raised in these writ petitions, as the contentions raised by the parties in all these writ petitions have to be raised before the appropriate forum at a later stage.



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14. Though the petitioners made allegations against the officials of the respondents with regard to interfering and harassing the petitioners without following due process of law, at this stage, the same cannot be gone into by this Court without placing any supporting materials to substantiate these allegations.

15. The learned counsel for the parties have raised the issue/contention with regard to maintainability of the writ petitions. This Court has not gone into the issue with regard to maintainability of the writ petitioners, in view of the statement made by the first respondent in the Status Report.

16. This Court has recorded above, the submission made by the learned Advocate General, based on the Status Report of the first respondent. It is made clear that if any action taken by the respondents is contrary to the procedures as contemplated under the Tamil Nadu Cooperative Societies Act, 1983 and Rules, 1988, it is always open to the elected office bearers of the Societies to agitate the same before the appropriate forum.

17. With the above observations, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed. "

4. Following the aforesaid decision of this Court, these writ petitions also disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Handlooms and Textiles Dept.,
Fort St.George,
Chennai -9.
2. The Principal Secretary to Government,
Housing and Urban Development Department,
Fort St George, Chennai-9.
3. The Principal Secretary to Government
Industries Department Fort St
George Chennai- 9.
4. The Additional Director of Handlooms
and Textiles Department,
Kuralagam,
Parrys,
Chennai -8.
5. Assistant Director of Handlooms and Textiles,
Co-operative Societies,
Kumarapalayam Block,
Namakkal District.
6. The Director of sugar
No.690 Annasalai Nandanam Aavin Complex
Chennai-35.
7. The Registrar Housing Board
Office of the Registrar Housing Board Tamil Nadu
Co-op Society Housing Board Complex
Vepery Chennai-7.
8. The Join Registrar Housing Board
Co-Op Societies of Housing Board Salem
Zone Salem District.

+1cc to the Government Pleader, S.R.No.31965,31716

W.P.Nos. 13883, 13885, 13886,
13887 and 13889 of 2021
and

WMP.Nos. 14748, 14751, 14754,
14757 and 14760 of 2021

PCH(CO)
PM(29/07/2021)