



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.Nos. 14253, 14255, 14256, 14258, 14263, 14265 and
14268 of 2021

and

WMP.Nos. 15163, 15164, 15166, 15169, 15172, 15177 and
15179 of 2021

K.Senthil	.. Petitioner in W.P.No.14253 of 2021
M.Dhanasekaran	.. Petitioner in W.P.No.14255 of 2021
S.Prasannan	.. Petitioner in W.P.No.14256 of 2021
P.Thangamani	.. Petitioner in W.P.No.14258 of 2021
R.Palanisami	.. Petitioner in W.P.No.14263 of 2021
P.Chandrasekaran	.. Petitioner in W.P.No.14265 of 2021
G.Palanimuthu	.. Petitioner in W.P.No.14268 of 2021

vs.

1.The Principal Secretary to Government,
Co-op., Food, & Consumer Protection Dept.,
Fort St.George, Chennai -9.

2.The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk, Chennai -10.

3.The Joint Registrar Co-op. Societies,
Namakkal, Namakkal District.

..

Respondents in all WPs

Common Prayer in WPs: 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 Primary Agriculture Co-operative Societies Ltd, N.9075 Sivanaickenpatti, Senthamangalam Taluk, Namakkal District, S.1300, Unjanai - Mettupalayam, Namakkal District, S.L.(SPL) 151, Karkoodalpatti, Rasipuram Taluk, Namakkal District, S.1443, Naraikinaru, Rasipuram Taluk, Namakkal District, S.1296, Valayappatti, Namakkal Taluk, Namakkal District, S.N.265, Senthamangalam, Namakkal District, S.519, N.Ramanathapuram, Namakkal Taluk, Namakkal District



WEB COPY

respectively in unlawful manner without following the due process enshrined in the Tamilnadu Co-operative Societies Act, 1983.

For Petitioners : Mr.V.Janarthanan
(in all W.P.s)

For Respondents : Mr.A.Selvendran,
(in all W.P.s) Government Advocate

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 Primary Agriculture Co-operative Societies Ltd, 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 disposed of by way of 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.

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



WEB COPY

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 (CS-VIII)

//True Copy//

Sub Assistant Registrar

ak

To

1.The Principal Secretary to Government,
Co-op., Food, & Consumer Protection Dept.,
Fort St.George, Chennai -9.

2.The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk, Chennai -10.

3.The Joint Registrar Co-op. Societies,
Namakkal, Namakkal District.

+1cc to the Government Pleader, S.R.No. 32916

W.P.Nos. 14253, 14255, 14256, 14258,
14263, 14265 and 14268 of 2021
and WMP.Nos. 15163, 15164, 15166, 15169,
15172, 15177 and 15179 of 2021

SKY(CO)
GN(18/08/2021)