



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.14823 of 2021  
and  
WMP.No.15695 of 2021

V.Krishnan

..

Petitioner

vs.

1.The Principal Secretary to Government,  
Co-operation, Food and Consumer Protection Department,  
Secretariat, Fort St. George,  
Chennai-600 009.

2.The Commissioner,  
Milk Production and Dairy Development,  
Madhavaram Milk Colony,  
Madhavaram, Chennai-61.

..

Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents from interfering with the functioning of the elected body of office bearers of the Vellore District Co-operative Milk Producers Union Ltd., by taking any policy decision to supersede the elected bodies, without following any procedure under law.

For Petitioners : Ms.R.Hemalatha

For Respondents : Mr.A.Selvendran, Government  
Advocate

ORDER

This writ petition has been filed by the elected office bearers of the Cooperative Society, seeking for a direction forbearing the respondents from interfering with the functioning of the elected body of office bearers of the Vellore District Co-operative Milk Producers Union Ltd., by taking any policy decision to supersede the elected bodies, without following any procedure under law.



2. The issue involved in this Writ Petition has been squarely covered by a common order, dated 05.07.2021 passed by this Court in a batch of Writ Petitions in W.P.Nos.12706 of 2021 etc., The relevant portion of the order dated 05.07.2021, in paragraph nos.13 to 17 are extracted as under:

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 petitions, 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.



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

3. The above said order will hold good for the present Writ Petition also. Accordingly, this writ petition is disposed of on the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government,  
Co-operation, Food and Consumer Protection Department,  
Secretariat, Fort St. George,  
Chennai-600 009.

2.The Commissioner,  
Milk Production and Dairy Development,  
Madhavaram Milk Colony,  
Madhavaram, Chennai-61.

+1cc to the Government Pleader, S.R.No.34629

W.P.Nos.14823 of 2021

JPL(CO)  
CB(13/08/2021)