



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 28.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10348 of 2021
and W.M.P. (MD) No.8015/2021
(Through Video Conferencing)

A.Murugan
President
A-3074 The Madurai District Cooperative Agro
Engineering and Service Society Ltd.
Koodal Nagar,
Madurai.

... Petitioner

Vs.

1.State of Tamil Nadu

Rep. by its Agricultural Production Commissioner and
Principal Secretary to Government
Secretariat, Fort St. George, Chennai 600 006.

2.State of Tamilnadu,

Rep. by the Director of Agriculture/Registrar of
Agro Engineering Services,
Office of Director of Agriculture
Chepauk, Chennai.

3.State of Tamilnadu,

Rep. by its the Deputy Registrar,
Agro Engineering Cooperative Services,
Chepauk, Chennai

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to permit the petitioner's society for their functioning in a profitable manner based on the resolution dated 17.02.2020 and communication to the 3rd respondent dated 17.02.2020 and consequently direct the respondents to drop the proposal of winding up of the petitioner's society namely A-3074, the Madurai District Cooperative Agro Engineering and Service Society Limited based on the G.O.(Ms)No.220, Agriculture (AE2) Department, dated 23.09.2019.

For Petitioner :Mr.R.Senthilkumar
For Respondents :Mr.R.Suresh Kumar
Government Advocate



ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the third respondent to drop the proceedings initiated for winding up the petitioner society on the ground that the petitioner society is actively functioning and it is earning profit.

2. When the matter was taken up for hearing today, the learned Government Advocate brought to the notice of this Court that already an order has been passed by the Deputy Registrar of Cooperative Society on 04.05.2021 winding up the petitioner society in accordance with the provisions under Section 137(2) of the Tamilnadu Cooperative Societies Act, 1983.

3. The learned counsel for the petitioner submitted that no order has been served on the petitioner till date. The learned counsel further submitted that liberty must be granted to the petitioner to work out their remedy in accordance with law.

4. Taking into consideration the facts and circumstances of the case and also of the fact that an order has already been passed by the Deputy Registrar, there shall be a direction to the third respondent to serve the order on the petitioner society within a period of one week from the date of receipt of a copy of this order. If the petitioner is aggrieved by the same, it is left open to the petitioner to work out their remedy in accordance with law.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

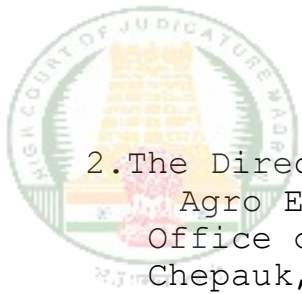
RR

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 Agricultural Production Commissioner and
Principal Secretary to Government
Secretariat, Fort St. George,
Chennai 600 006.

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



2.The Director of Agriculture/Registrar of
Agro Engineering Services,
Office of Director of Agriculture
Chepauk, Chennai.

3.The Deputy Registrar,
Agro Engineering Cooperative Services,
Chepauk, Chennai

+1 CC to M/s.SPL GP (SR-20678[F] dated 30/06/2021)

W.P. (MD) No.10348 of 2021
28.06.2021

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KK(05.07.2021) 3P 5C