



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.17362 of 2020 and 502 of 2021

and

W.M.P(MD)Nos.14514 of 2020 and 431 of 2021

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W.P(MD)Nos.17362 of 2020

P.Maruthai

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Deputy Registrar (Milk),
Dindigul,
Dindigul District.

3.K.Gopikumar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of certiorarified mandamus, to call for the records relating to the 2nd respondent proceedings made in Na.Ka.No.380/E3/2020, dated 29.09.2020 and quash the same and further direct the 2nd respondent to approve the resolution of the petitioner's society dated 11.10.2020.

For Petitioner : Mr.G.Gomathi Sankar

Respondent No.1: Mr.C.Ramar,
Additional Government Pleader

For Respondent : Mr.E.Mareeskumar,
No.2 Standing Counsel

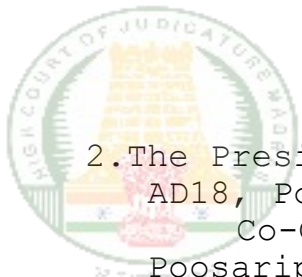
W.P(MD)No.502 of 2021

Arumugam

... Petitioner

Vs.

1.The Deputy Registrar of Co-Operative Societies (Milk),
Office of the Deputy Registrar of
Co-Operative Societies (Milk),
Dindigul, Dindigul District.



2.The President,
AD18, Poosaripatti Milk Producers
Co-Operative Society,
Poosaripatti,
Servaikaranpatti Post,
Kujiliyambarai Taluk,
Dindigul District.

3.The Secretary,
AD18, Poosaripatti Milk Producers
Co-Operative Society,
Poosaripatti,
Servaikaranpatti Post,
Kujiliyambarai Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the 1st respondent to appoint a Special Officer to the AD18, Poosaripatti Milk Producers Co-Operative Society, for the purpose of clearing cheques/milk dues from 01.09.2020 to till date by considering the petitioner's representation dated 24.12.2020 within the time that may be stipulated by this Court.

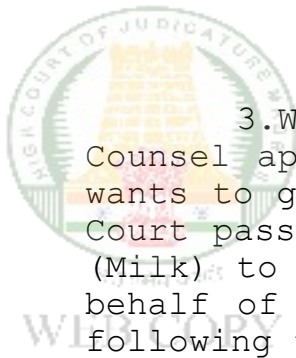
For Petitioner : Mr.Nirmal Kumar

For Respondent : Mr.E.Mareeskumar,
No.1 Standing Counsel

COMMON ORDER

Heard the learned Counsel on either side.

2.The subject matter of these writ petitions pertains to the affairs of the AD18, Poosaripatti Milk Producers Co-Operative Society, Servaikaranpatti Post, Kujiliyambarai Taluk, Dindigul District. The relationship between the President of the Society and the Secretary has come under considerable strain. In fact the Secretary one K.Gopikumar filed a writ petition before this Court in W.P(MD)No.9847 of 2020 before this Court against the President and interim stay was also granted therein. When the president filed a writ petition in W.P(MD)No.10013 of 2020 before this Court, he gave an undertaking that he will revoke the resolution passed against the said Gopikumar. Since there is bad blood between them, they are not coming to work together. As per the by-laws of the Society, the cheques will have to be issued by jointly by the President and the Secretary of the Society. Since there are not prepared to work together, the cheques could not be issued and as a result, suppliers could not be paid. This has virtually paralysed the functioning of the Society.



3. When the matter was taken up for hearing, the learned Counsel appearing for the Secretary states that the Secretary also wants to give quietus to this issue and he has no objection if this Court passes an order permitting the President and Senior Inspector (Milk) to sign the cheques. In view of the said statement made on behalf of the Secretary, I dispose of these writ petitions in the following terms:

(a) the cheques to be issued by AD18, Poosaripatti Milk Producers Co-Operative Society, Servaikaranpatti Post, Kujiliyambarai Taluk, Dindigul District, will be jointly signed by the President of the Society and Senior Inspector (Milk), Dindigul, and

(b) The Bank of Baroda, Dinidgul Branch, in which the Society is having its account, will honour the cheques that will be jointly signed by the President and the Senior Inspector (Milk), Dindigul. This direction will cover not only the cheques issued to the petitioner herein but for all the cheques to be issued by the said Society. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Admin-I)

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/ /2021

Sub Assistant Registrar(CS)

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To:-

1. The District Collector,
Dindigul District,
Dindigul.
2. The Deputy Registrar of Co-Operative Societies (Milk),
Office of the Deputy Registrar of
Co-Operative Societies (Milk),
Dindigul, Dindigul District.
3. The President,
AD18, Poosaripatti Milk Producers
Co-Operative Society,
Poosaripatti,
Servaikaranpatti Post,
Kujiliyambarai Taluk,
Dindigul District.



4.The Secretary,
AD18, Poosaripatti Milk Producers
Co-Operative Society,
Poosaripatti,
Servaikaranpatti Post,
Kujiliyambarai Taluk,
Dindigul District.

+1 CC to M/s.G.GOMATHI SHANKAR, Advocate (SR-3842[F] dated
08/02/2021)

+1CC TO MR.NIRMAL KUMAR, ADVOCATE SR.NO.4209

W.P(MD)Nos.17362 of 2020 and 502 of 2021

08.02.2021

NR (10/02/2021) 4P : 7C