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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-01-2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.35963 of 2015

And

MP Nos.1 and 2 of 2015

Endiyur Primary Agricultural Cooperative
Credit Society, Represented by its President,
V.Lakshmi, W/o.Vinayagam,
Nedu Street,
Endiyur Village and Post,
Tindivanam Taluk,
Villupuram District. .. Petitioner

vs.

1.The Deputy Registrar of Cooperative Societies/
Public Information Officer,
Tindivanam Circle,
Tindivanam,
Villupuram District.

2.V.Ganesan .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.No.1260/2015 Tho.Vae.Sa(3), dated 11.08.2015 and quash the same.

For Petitioner : Ms.R.Hemalatha for
Mr.C.Prakasam

For Respondent-1: Mr.K.Surendran,
Government Advocate.

For Respondent-2: Mr.S.Sathya Raj



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O R D E R

The relief sought for in the present writ petition is to forbear the first respondent from insisting the petitioner to furnish the informations to the second respondent.

2. The petitioner is a Primary Agricultural Co-operative Credit Society, registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983.

3. The learned counsel for the petitioner states that as per the judgment rendered by the High Court of Kerala, the Co-operative Societies are not amenable to the Right to Information Act and therefore, the informations need not be provided as per the request made by the second respondent in the present case. In fact, the Joint Registrar of Cooperative Societies has addressed a letter to the Additional Registrar wherein, it is categorically stated that the said judgment of the Kerala High Court is not with reference to the provisions of the Tamil Nadu Cooperative Societies Act, 1983, and therefore, it cannot be complied and as per the judgment of the Hon'ble Supreme Court of India, the Cooperative Societies are also performing the public duties and implementing the Government Schemes and therefore, they are amenable to the Right to Information Act and thus, the second respondent is entitled to get information as per the provisions of the Right to Information Act.

4. This being the position, the petitioner has to provide information under the provisions of the Act, in respect of the application submitted by the second respondent, in accordance with the time limit and the procedures contemplated under the Right to Information Act.

5. With the abovesaid observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

Svn



To

The Deputy Registrar of Cooperative Societies/
Public Information Officer,
Tindivanam Circle,
Tindivanam, Villupuram District.

+1cc to Mr.S.Sathya Raj, Advocate SR.No.3804

+1cc to Government Pleader SR.No.4322

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GPL (CO)
GMY (04/02/2022)