



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.12749 of 2021

S.Karthiyayini

.. Petitioner

Vs.

1. The Secretary to Governor of Tamil Nadu,
Raj Bhavan,
Chennai - 600 022.
2. The State of Tamil Nadu,
rep. by its Additional Chief Secretary,
Co-operation, Food and Consumer Protection Department,
Fort St. George,
Chennai - 600 009.
3. The Election Commission,
Tamil Nadu State Co-operative Societies,
rep. by its Secretary,
No.273, Kamadenu Super Market,
I-Floor, Anna Salai,
Chennai - 600 018.
4. The Registrar of Co-operative Societies,
No.170, NV Natarajan Maaligai,
EVR High Road, Kilpauk,
Chennai - 600 010.

.. Respondents

Prayer: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 11.06.2021 sent to the respondents 1 to 4 and consequently forbear the 2nd and 3rd respondents from taking steps to dissolve or interfere with the functioning of the Boards of the Cooperative Societies in the State of Tamil Nadu, the members of which were duly elected by virtue of a lawful election process



held during 2018, 2019 and 2021 and ensure continuance of the existing Board members of the Cooperative Societies till the completion of the entire term of 3 years as per the Tamil Nadu Co-operative Societies Act, 1983. (Prayer amended as per the order dated 10.11.2021 passed in WMP No.21445 of 2021)in WP.No.12749 of 2021.

For the Petitioner : Mr.Naveenkumar Murthy
for M/s.D.Suriya Narayanan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.C.Harsharaj
Addl. Government Pleader

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Learned counsel for the petitioner submits that the petition be closed with liberty to file a fresh writ petition to challenge the amendment in the provision by which the term of office of the elected members of the cooperative society has been reduced from five years to three years.

In view of the above, the writ petition is dismissed as withdrawn with liberty as prayed for. There will be no order as to costs. Consequently, W.M.P.No.13543 of 2021 is closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Secretary to Governor of Tamil Nadu,
Raj Bhavan,
Chennai - 600 022.



WEB COPY

2. The Additional Chief Secretary,
State of Tamil Nadu,
Co-operation, Food and Consumer Protection Department,
Fort St. George,
Chennai - 600 009.
3. The Secretary,
Election Commission,
Tamil Nadu State Co-operative Societies,
No.273, Kamadenu Super Market,
I-Floor, Anna Salai,
Chennai - 600 018.
4. The Registrar of Co-operative Societies,
No.170, NV Natarajan Maaligai,
EVR High Road, Kilpauk,
Chennai - 600 010.

W.P.No.12749 of 2021

GPL (CO)
SU (27/01/2022)