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W.P.(MD)NO.28055 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28055 of 2022 and
W.M.P.(MD)No.22136 of 2022

P.Sathish Kumar,
President,
T.U.3, Primary Agricultural Cooperative
Loan Bank, Thevaram,
Theni District.

... Petitioner

Vs.

1. The Deputy Registrar,
Cooperative Societies,
Uthamapalayam, Theni District.

2. The Cooperative Sub Registrar / Field Officer,
O/o Deputy Registrar of Coop. Societies,
Uthamapalayam, Theni District.

3. T.U.3, Primary Agricultural Cooperative
Credit Society, Thevaram,
Rep. by its Secretary,
Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating with the impugned notice dated 08.12.2022 issued by the 2nd respondent, for convening the board meeting of the 3rd respondent society, relates to the subject of no confidence motion against the petitioner and quash the same as it is illegal, as there is no clear three days'



notice as per Rule 62(3) of Tamil Nadu Cooperative Societies Rules, 1988.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is the President of a co-operative society. He questions the impugned order whereby the second respondent had directed convening of the meeting to discuss no confidence motion moved against the petitioner. The petitioner's counsel would argue that the impugned proceeding is not in consonance with Rule 62 of the Tamil Nadu Co-operative Societies Rules. He would point out that the said rule contemplates giving three days notice. However according to him, in this case two days notice has been given.



3. The petitioner may have a good case technically.

But the fact remains that the meeting was already convened on 13.12.2022. The Board comprises 11 members. Ten members are against the petitioner. The petitioner has been clearly outnumbered.

4. For these two reasons, I decline to interfere. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.12.2022

Index : Yes / No
Internet : Yes/ No

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To:

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Cooperative Societies,
Uthamapalayam, Theni District.
2. The Cooperative Sub Registrar / Field Officer,
O/o Deputy Registrar of Coop. Societies,
Uthamapalayam, Theni District.
3. T.U.3, Primary Agricultural Cooperative
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G.R.SWAMINATHAN,J.



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