



WEB COPY



W.P.No.1498 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM :

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.1498 of 2023  
and W.M.P.No.1590 of 2023

The Lekkur Cooperative Milk Society,  
Rep. By its Secretary,  
Athimoolam,  
S/o.Chinnasamy,  
No.265/1, North Street,  
Lekkur,  
Cuddalore District.

.. Petitioner

VS

1.The Deputy Registrar,  
Co-operative Society (Dairying),  
Cuddalore.

2.The General Manager,  
Milk Producers Cooperative Union Ltd.,  
Sethiyathoppu,  
Cuddalore District.

3.Mangalore Milk Producers Cooperative Society,  
Mangalore Post,  
Veppur Taluk,  
Cuddalore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to take appropriate action against the third respondent society for Mangalore Cooperative Society for collecting the milk illegally which was rejected by the petitioner's society for the reasons of poor quality of it is members and within territorial jurisdiction of the petitioner's society based on petitioner's society representation dated 11.10.2022 forthwith.



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For Petitioner : Mr.S.Kasirajan  
For Respondents : Mr.S.Ravikumar  
Special Government Pleader  
for R1, R3  
Mr.V.Rajinikanth,  
Standing Counsel for R2

ORDER

1. The grievance of the petitioner in this writ petition is that the third respondent / society which is located in the petitioner's jurisdiction is receiving poor quality milk from its members which was earlier rejected by the petitioner's society. The petitioner seeks to initiate legal action against the third respondent / society for the alleged illegal acts.

2. The petitioner has given the representation to the first respondent on 11.10.2022 requesting to take action against the third respondent / society. Since the representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.S.Kasirajan, learned counsel for the petitioner, Mr.S.Ravikumar, learned Special Government Pleader, who accepts notice on behalf of respondent nos.1 and 3 and Mr.V.Rajinikanth, learned standing counsel, who accepts notice on behalf of the third respondent.



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4. No prejudice would be caused to the first respondent if the petitioner's representation, as stated supra, is considered on merits and in accordance with law after affording a hearing to the petitioner as well as the third respondent / society.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 11.10.2022 seeking to initiate appropriate legal action against the third respondent / society for collecting the milk illegally which was rejected by the petitioner's society for the reason of poor quality of its members within a period of twelve weeks from the date of receipt of a copy of this order after affording fair hearing to the petitioner as well as the third respondent.

6. With the aforesaid direction, this writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

23.01.2023

Index:Yes/No  
Neutral Citation:Yes/No  
ssm



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To

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Co-operative Society (Dairying),  
Cuddalore.
- 2.The General Manager,  
Milk Producers Cooperative Union Ltd.,  
Sethiyathoppu,  
Cuddalore District.
- 3.Mangalore Milk Producers Cooperative Society,  
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ABDUL QUDDHOSE,J.

ssm

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