



WEB COPY



W.P.No.7160 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.03.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.7160 of 2023
and WMP No.7235 of 2023

M.P.Paramaguru

Vs

... Petitioner

The Registrar of Co-operative Societies (Housing),
No.48, Ritherton Road,
Veppery, Chennai – 600 007.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbear the respondent from proceeding the disqualification notice under Section 36 of Tamil Nadu Cooperative Societies Act in Na.Ka.No.193/2023/sa.pa2 dated 10.01.2023 without furnishing the copies of the documents requested by the petitioner's representations dated 21.01.2023 and 13.02.2023.

For Petitioner : Mr.M.S.Palaniswamy

For Respondent : Mr.K.V.Sajeev Kumar
Special Government Pleader

ORDER

Mr.Sajeev Kumar, learned Special Government Pleader accepts notice for the respondent and is armed with instructions to proceed with the matter finally



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even at this juncture. Hence, by consent of both sides, this Writ Petition is

taken up for final disposal even at the stage of admission.

2. The prayer of the petitioner, an elected Director in the Chennai Metropolitan Cooperative Housing Society Limited, is for a mandamus forbearing the respondent from proceeding with disqualification notice dated 10.01.2023 issued in terms of Section 36 of the Tamil Nadu Cooperative Societies Act, 1961 without furnishing the copies of documents requested under representations dated 21.01.2023 and 13.02.2023.

3. It appears that the President and other office bearers of the same Society had approached this Court with an identical prayer in W.P.Nos.5349 of 2023 and 6640 of 2023 and by orders dated 23.02.2023 and 03.03.2023 respectively, that Writ Petitions have been disposed directing the respondents to supply the documents sought for by those petitioners.

4. Needless to say, the enquiry may proceed only in line with the principles of natural justice which requires that all materials upon which the respondent seek to rely on, must be furnished to the petitioner.

5. On instructions, Mr.Sajeev would assure the Court that the documents sought for will be supplied within one (1) week from today to the President, Vice President and 12 Directors that comprise the elected Board of the Chennai Metropolitan Cooperative Housing Society Limited.



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6. The aforesaid submission is recorded. With this, the mandamus sought for stands achieved and this Writ Petition is closed as is the Miscellaneous Petition. No costs.

09.03.2023

Index : Yes / No
Speaking Order
Neutral Citation : Yes/No
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To

The Registrar of Co-operative Societies (Housing),
No.48, Ritherton Road,
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