



WEB COPY



W.P.No.9439 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 28.03.2023

CORAM

**THE HONOURABLE DR. JUSTICE ANITA SUMANTH**

**W.P.No.9439 of 2023**

S.Loganathan

... Petitioner

Vs

1. The Secretary,  
Government of Puducherry,  
Co-operative Department (Dairy),  
VVP Nagar, Thattanchavady,  
Puducherry – 605 009.
2. The Registrar,  
Cooperative Societies, (Diary),  
Varadaraja Perumal Nagar,  
Puducherry – 605 009.
3. The Administrator/Managing Committee  
Tirubhuvanai Farmers Service  
Co-operative Society, Tirubhuvanai,  
Puducherry.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent to consider the representation dated 13.2.2023 and to appoint the interim administrator under Section 33(1)(b)(i) of the Pondicherry Cooperative Societies Act 1973 to



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look after the management and administration of the society until the new committee is elected and entered upon the office in accordance with law.

For Petitioner : Mr. D.Nandhagopal  
for Mr.R.Rajarajan

For Respondents : Mr.V.Vasantha Kumar  
Additional Government Pleader - R1 & R2  
Mr.R.Sreedhar  
Additional Government Pleader - R3

### **ORDER**

The petitioner had earlier approached this Court in W.P.No.619 of 2023 arraying the same three respondents as arrayed before me now, i.e., the Secretary, Government of Puducherry, Cooperative Department (Diary)/R1, The Registrar, Cooperative Societies (Diary)/R2 and The Administrator, Managing Committee, Tirubhuvanai Farmers Service Cooperative Society/R3. Therein, the prayer was for a Writ of Mandamus directing R1 and R2 to conduct election and constitute managing committee for R3 society under Section 32 of the Puducherry Cooperative Society Act, 1972 (in short '1972 Act').

2. That Writ Petition came to be ordered on 27.01.2023 recording the submissions of Mr.R.Sreedhar, learned Additional Government Pleader, who appears for R3 in that matter and who accepts notice for R3 in the present



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matter as well. The unconditional undertaking of R3 was to the effect that they would hold elections to the society on or before 30.06.2023.

3. The present Writ Petition is filed seeking a mandamus to R1 to consider representation dated 13.2.2023 and to appoint an interim administrator under Section 33(1)(b)(i) of the Pondicherry Cooperative Societies Act, 1973 to manage and administer the society till the new committee is elected.

4. Mr.V.Vasantha Kumar, learned Additional Government Pleader accepts notice for R1 and R2 and assures the Court as well as the petitioner that the request made in representation dated 13.02.2023 will be considered within a period of eight (8) weeks from today, after hearing the petitioner.

5. Thus, recording this assurance, this Writ Petition is closed, as no mandamus is necessary in the aforesaid circumstances. No costs.

28.03.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes/No

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To

1. The Secretary,  
Government of Puducherry,  
Co-operative Department (Dairy),  
VVP Nagar, Thattanchavady,  
Puducherry – 605 009.



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**Dr.ANITA SUMANTH,J.**

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2. The Registrar,  
Cooperative Societies, (Diary),  
Varadaraja Perumal Nagar,  
Puducherry – 605 009.
  
3. The Administrator/Managing Committee  
Tirubhuvanai Farmers Service  
Co-operative Society, Tirubhuvanai,  
Puducherry.

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**28.03.2023**