



WEB COPY



W.P.No.37214 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE P.B.BALAJI**

W.P.No. 37214 of 2016

S.Murugan

... Petitioner

Versus

1.The Registrar of Co-Operative Societies,  
EVR Periyar Salai,  
Kilpauk,  
Chennai-600 010.

2.The Joint Registrar,  
Co-Operative Societies,  
Salem District,  
Salem-7.

3.The District Collector,  
Salem district,  
salem.

4.KK-308, Pavalathanur Lakshmi Primary Agricultural  
Co-Operative Society,  
Rep by the Secretary,  
Tharamangalam,  
Omalur Taluk,  
Salem District.

5. M.Thangaraj

6.N.Gowri

7.R.Baskar

... Respondents



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**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, prays to issue a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate and immediate action against the respondents 4 to 7 by considering my representation dated 10.07.2016.

|                       |                                         |
|-----------------------|-----------------------------------------|
| For Petitioner        | : Mr.R.Jayaprakash                      |
| For respondent 1 to 3 | : MrT.M.Rajangam<br>Government Advocate |
| For Respondent 4      | : Mr.L.P.Shanmuga Sundaram              |
| For respondent 5      | : Mr.R.Nalliyappan                      |
| For respondent 7      | : Mr.R.Srinivas                         |
| For Respondent 6      | : No appearance                         |

### **ORDER**

This writ petition has been filed seeking issuance of a writ of mandamus to direct the respondents 1 to 3 to take action against the respondents 4 to 7 pursuant to the petitioner's representation dated 10.07.2016.

2. The case of the petitioner is that he had a sum of Rs.15 lakhs from the family partition. He proposed to deposit the sum to the 4<sup>th</sup> respondent society for the purpose of his daughters marriage. The respondents 5 to 7,



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who were employed in the 4<sup>th</sup> respondent society requested the petitioner to lend the amount to them in respect of which they also executed a document dated 09.05.2014. However, the respondents 5 to 7 have not repaid any amount, be it principal or interest. The petitioner was therefore constrained to give a representation on 10.07.2016 to the statutory respondents 1 to 3. Complaining that no action has been taken on the said representation, the petitioner has approached this Court by way of filing a writ petition seeking issuance of a writ of mandamus.

3. The 4<sup>th</sup> respondent has filed a counter stating that admittedly the money was not deposited with them and if at all the petitioner had really paid any amount to respondents 5 to 7, it was for him to take such necessary legal steps against them and instead of holding the society responsible.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

5. Considering the limited relief sought for in the writ petition, the 2<sup>nd</sup> respondent is directed to consider the petitioner's representation dated 10.07.2016 and pass orders on merits and in accordance with law, within a



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period of four weeks from the date of receipt of a copy of this order.

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6. With the above directions, this writ petition is disposed of. No costs.

**16.06.2023**

Index : Yes / No

Internet: Yes

Speaking/non speaking order  
nr

To

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Kilpauk,  
Chennai-600 010.

2.The Joint Registrar,  
Co-Operative Societies,  
Salem District,  
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**P.B.BALAJI, J.,**

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