



W.P.No.22740 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22740 of 2023
and W.M.P.No.22187 of 2023

S.Ranjith Kumar

...Petitioner

Vs.

- 1.The Secretary to Government,
Cooperation, Food and Consumer Protection Department,
Fort St. George, Chennai – 600 009.
- 2.The Commissioner,
Tamil Nadu State Cooperative Societies Election Commission,
No.273, Annasalai, Teynampet, Chennai – 600 018.
- 3.The Registrar of Cooperative Societies,
Office of the Registrar of Cooperative Societies,
Chetpet, Chennai – 600 010.
- 4.The Registrar of Cooperative Societies (Housing),
Office of the Registrar of Cooperative Societies (Housing),
No.48, Ritharton Road, 2nd Floor,
Veppery, Chennai – 600 007.
- 5.The Deputy Registrar of Cooperative Societies (Housing),
Office of the Deputy Registrar of Cooperative Societies (Housing),
No.26, Azhagesan Nagar, Chengalpattu,
Chengalpattu District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to permit the Elected Board of Members in the J.J.345, Karthikeyapuram Cooperative Building Society Ltd., to continue to hold the post as an Elected Board of Members for the period of five years, until 08.12.2024.

For Petitioner	: M/s.R.Hemalatha
For Respondents 1 & 3 to 5	: Mr.R.Shanmuga Sundaram Advocate General Assisted by Mrs.S.Anith Special Government Pleader
For Respondent 2	: Mr.U.Karunakaran Standing Counsel

ORDER

The writ petitioner seeks a direction to the respondents to permit the Elected Board Members of J.J.345, Karthikeyapuram Cooperative Building Society Ltd., to continue to hold the post as Elected Board Members for five year and pass further orders.

2.It is the case of the petitioner that the petitioner was elected as President of the above mentioned Cooperative Society on 09.12.2019. As per



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Section 33(10)(a) of Tamil Nadu Cooperative Societies Act, 1983 and By-

Laws of the Society, the term of office of the members of the Board is five (5) years from the date of election and in the case on hand, the election was conducted on 09.12.2019, therefore, the petitioner is entitled to hold office till 08.12.2024. It is averred by the petitioner that the petitioner received an information that the 1st respondent is going to dissolve the Elected Board of above mentioned Cooperative Society on 07.08.2023 and therefore, the petitioner was constrained to file this writ petition to enable him to continue in office for entire period of five (5) years as per Section 33(10)(a) of Tamil Nadu Cooperative Society Act, 1983.

3.The learned Advocate General appearing for the respondents 1, 3 to 5 on written instructions submits that the election result for the petitioner's Society was declared on 29.11.2019 and therefore, the members of the Board of Management of the petitioner's Society are entitled to hold office till 28.11.2024. Therefore, the writ petition filed by the petitioner is misconceived. The statement made by the learned Advocate General that the petitioner is entitled to hold office till expiry of five (5) years period is recorded.



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4.Mr.U.Karunakaran, learned Standing Counsel appearing for the 2nd

respondent Election Commission also submits that the members of Board of Directors of the Cooperative Society are entitled to hold office for five (5) years from the date of declaration of the election result. In the case on hand, the election result was declared on 29.11.2019.

5.In view of the statement made by the learned Advocate General and the learned Standing Counsel appearing for the 2nd respondent Election Commission for Cooperative Societies, the petitioner is entitled to hold office for five (5) years in respect of the petitioner's Society up to 28.11.2024. Therefore, no further orders are required in this writ petition. Accordingly, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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WEB COPY

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