



W.A.No.77 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2023

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

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1. V.Anand
2. Manjula
W/o Srinivash
3. Manjula
W/o Ravi
4. T.Shankar
5. K.Rajendran
6. U.Venkatesh
7. Krishnappa
S/o Arulagiri Shetty

.. Appellants

v.

The Joint Registrar of Cooperative Societies
Krishnagiri Region
Krishnagiri District

.. Respondent

Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 21.06.2019 made in W.P.No.16112 of 2019.

For Appellants :: Mr.M.S.Palaniswamy



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For Respondent :: Mrs.Geetha Thamaraiselvan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by D.KRISHNAKUMAR,J.)

The writ petition filed by the appellants, challenging the order passed by the respondent in Na.Ka.2106/2018 SaPa dated 26.04.2019 invoking the provisions of Section 88 of the Tamil Nadu Cooperative Societies Act for supersession of the Board of D.K.80, Berigai Primary Agricultural Cooperative Credit Society Limited, came to be dismissed by the writ Court holding that the appellants have the right to file an appeal before the appellate authority. Challenging the said order, this intra-Court appeal has been preferred before this Court.

2. When the matter was taken up for hearing, Mr.M.S.Palaniswamy, learned counsel appearing for the appellants fairly submitted before this Court that the period of the Board itself expired in the month of August, 2023. Therefore, according to the appellants, even though they have some objection that the authority has not followed the procedure contemplated



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under the Act and the Rules, the said aspect requires an adjudication in the writ appeal.

3. Even though the appellants may have some objection, when the appellants have already informed this Court that their term of office had already expired, they cannot have any right to seek for extension of the said period, when the law is very clear that such extension cannot be granted, since the election to the Cooperative Societies has also been mandated under the Constitution of India. Moreover, the respondent has also stated in the counter affidavit that the newly elected board members are now managing the affairs of the subject society. Therefore, the writ appeal stands dismissed as infructuous, as no further adjudication is required. Consequently, C.M.P.No.1148 of 2020 is also dismissed. No order as to costs.

(D.K.K.,J.) (P.B.B,J.)
19.09.2023

Index : yes/no
Neutral citation : yes/no
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To



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1. The Joint Registrar of Cooperative Societies
Krishnagiri Region
Krishnagiri District

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AND

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