



W.P.No.30670 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.30670 of 2023

M.Saravanan

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government
Co-operation, Food and Consumer Protection Department
Fort St. George, Chennai – 600 009.
 2. The Registrar of Co-operative Societies
NV Natarajan Maaligai
No.170, EVR High Road
Kilpauk, Chennai 600 010.
 3. The Election Commission
Tamil Nadu Co-operative Societies Election Commission
Rep. by its Election Commissioner
Kamadehnu Super Market, T.U.C.S. Bldgs.
273, Scheme Road, Subbarayan Nagar
Teynampet, Chennai 600 018.
- .. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents herein to issue suitable orders/circulars/directions directing the Administrators appointed to the Cooperative Societies, for conduct of the election, to indulging restrain from admission of new members and to proceed with the election process with existing member prior to the appointment of Administrators.

For the Petitioner : Mr.S.R.Rajagopal
Senior Counsel
for Mr.I.S.Inbadurai and
Mr.L.P.Shanmugasundaram

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by Mr.Karthik Jagannath
Government Advocate
for R1 & R2

Ms.M.Sneha
for R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.R.Rajagopal, learned Senior Counsel for Mr.I.S.Inbadurai and Mr.L.P.Shanmugasundaram, learned counsel for the petitioner, Mr.J.Ravindran, learned Additional Advocate General assisted by Mr.Karthik Jagannath, learned Government Advocate for respondents 1 and 2 and Ms.M.Sneha, learned counsel for respondent 3.



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2. Learned Senior Counsel appearing for the petitioner submits that the second respondent has proposed a General Body Meeting of the Cooperative Societies and in that, would induct Members. The same is not permissible.

3. General Body Meetings are with regard to particular Cooperative Societies. If the Cooperative Societies/Members are aggrieved, it is open for the concerned Cooperative Societies/Members to assail the same. However, as a public interest litigation, the same cannot be adjudicated.

4. With the aforesaid observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.30329 and 30330 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

20.10.2023

Index : Yes/No
Neutral Citation : Yes/No

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AND
D.BHARATHA CHAKRAVARTHY, J.

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