



WEB COPY



W.P. No. 31147 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31147 of 2023

and

W.M.P. No. 30776 of 2023

K.S.Arjunan

... Petitioner

-VS-

1. The Commissioner of Handlooms
Commissionerate of Handlooms
Kuralagam, II Floor
Chennai - 600 108.
2. The Registrar of Co-operative Societies
No.170, NV Natarajan Maaligai
Poonamallee High Road,
Kilpauk, Chennai – 600 010.
3. The Assistant Director of Handlooms and Textiles
No.426, Bhavani Main Road
Asokapuram, Erode – 4.
4. The Special Officer /Administrator
E.H.115, The Murugan Weaver's Co-operative P&S Society
Pandian Street, Chennimalai, Erode – 638 051.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Fourth Respondent not to admit any new members in E.H.115, The Murugan Weaver's Co-operative P&S Society, Chennimalai, Erode without General Body approval of



W.P. No. 31147 of 2023

the Society.

For Petitioner : Mr. K.Sasindran

For Respondents : Mr. U.Baranidharan
Additional Government Pleader (for R1 to R3)

Mr. S.Ravikumar (R4)

ORDER

Heard Mr. K.Sasindran, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First to Third Respondents, and Mr. S.Ravikumar, Learned Counsel, who takes notice for the Fourth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who claims to be a member of the Co-operative Society of the Fourth Respondent, viz., E.H.115, The Murugan Weaver's Co-operative P&S Society, ventilates the grievance that the Special Officer/Administrator of the Fourth Respondent is admitting new members into that Co-operative Society in violation of the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as 'the TNCS Act' for short).

3. Learned Additional Government Pleader appearing for the First to Third



W.P. No. 31147 of 2023

Respondents, on instructions, states that 23 persons had been admitted at the meeting of the General Body of the Co-operative Society of the Fourth Respondent held on 12.10.2023 following the prescribed procedure under Section 21(2) of the TNCS Act, and that apart from the said persons, no other admission of members has been made to the Co-operative Society of the Fourth Respondent. It is also brought to notice that the Division Bench of this Court in the decision in *M.Arumugam -vs- State of Tamil Nadu* (2013 (3) LW 20) has upheld the validity of that legal provision.

4. In view of the same, nothing remains for consideration in the Writ Petition, but if the Petitioner has any other grievance to be redressed in the matter, he is not precluded from working out his rights before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations.

Consequently, the connected Miscellaneous Petition is closed. No costs.

01.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 30.01.2024.

Maya



W.P. No. 31147 of 2023

To

WEB COPY

1. The Commissioner of Handlooms
Commissionerate of Handlooms
Kuralagam, II Floor
Chennai - 600 108.
2. The Registrar of Co-operative Societies
No.170, NV Natarajan Maaligai
Poonamallee High Road,
Kilpauk, Chennai – 600 010.
3. The Assistant Director of Handlooms and Textiles
No.426, Bhavani Main Road
Asokapuram, Erode – 4.
4. The Special Officer /Administrator
E.H.115, The Murugan Weaver's Co-operative P&S Society
Pandian Street, Chennimalai, Erode – 638 051.



WEB COPY



W.P. No. 31147 of 2023

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 31147 of 2023

01.11.2023