



W.P(MD)No.2728 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2728 of 2015

and

M.P(MD)No.1 of 2015 &

W.M.P(MD)No.11699 of 2016

R.Chellamani

... Petitioner

Vs

1.The Registrar of Co-operative Societies,
E.V.Ramasamy Periyar Salai,
Chennai.

2.The Joint Registrar of Co-operative Societies,
Madurai.

3.AL.Kalayappan

4.AN.Manickam

5.S.Annamalai

6.RM.Chinnanchetty

7.K.Palaniappan

8.V.Ramoo

9.K.Sandavaliyan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dissolve the society in the name and style of ICICI Bank Staff Cooperative Thrift and



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Credit Society Ltd., having registered office at 8(37) Viswasapuri 3rd Street, Gnanavolivupuram, Madurai - 625 016 for having not functioned as per the byelaws of the society by the respondents 3 to 9 based on the petitioner's representation dated 23.01.2015 made to the first respondent.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 & R.2

Mr.S.Seenivasangam
for R.3 to R.9

ORDER

Heard both sides.

2. The prayer in this writ petition is for directing the first respondent to dissolve the petition mentioned Society. In the affidavit filed in support of the W.M.P(MP)No.11699 of 2015, it has been averred that the petition mentioned Society was registered under Multi State Co-operative Societies Act and that therefore the first respondent does not have any jurisdiction in the matter. This affidavit was served on the petitioner way back in the year 2016.



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3. Since a categorical averment has been made by none other than a high-ranking officer in the State Co-operative Department, I find no ground of disbelieve the same. If this statement turns out to be incorrect, it is always open to the petitioner to move this Court to make a mention for recall of this order. If the statement is correct still the petitioner is not without remedy, he only needs to submit a fresh representation and file a fresh writ petition on the same cause of action. Dismissal of this writ petition will not come in the way. On the sole ground, that the petition mentioned Society is not registered under the provisions of Tamil Nadu Co-operative Societies Act, 1983, this writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

16.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Registrar of Co-operative Societies,
E.V.Ramasamy Periyar Salai,
Chennai.

2.The Joint Registrar of Co-operative Societies,
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G.R.SWAMINATHAN, J.

MGA

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