



W.P. No. 12766 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

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

W.P. No. 12766 of 2019

K.S.Shanmugam

... Petitioner

-VS-

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai – 600 010.
2. The Joint Registrar of Cooperative Societies,
Erode Region, Mohan Kumaramangalam Street,
Surampatti, Erode – 638 009,
Erode District.
3. The Deputy Registrar of Cooperative Societies,
Erode Circle, Mohan Kumaramangalam Street,
Surampatti, Erode – 638 009,
Erode District.
4. The President,
AA. 226 Modakurichi Primary Agricultural Cooperative Credit Society,
Modakurichi – 638 104.
Erode District.

5. J.Senthilvel

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider and pass orders on merits by disposing the written representation made by the Petitioner on 05.04.2019 within a stipulated time as this Court fixes.



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For Petitioner : Mr. C.Prakasam
For Respondents : Mrs. Geetha Thamaraiselvan,
Special Government Pleader
(for R1 to R3)
Mr. L.P.Shanmugasundaram (for R4)
Mr. N.Manokaran (for R5)

COMMON ORDER

Heard Mr. C.Prakasam, Learned Counsel for the Petitioner, Mrs. Geetha Thamaraiselvan, Learned Special Government Pleader appearing for the First to Third Respondents, Mr. L.P. Shanmugasundaram, Learned Counsel for the Fourth Respondent and Mr. N.Manokaran, Learned Counsel for the Fifth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner, who is a member of AA-226, Modakurichi Primary Agricultural Co-operative Credit Society, that he had made representation dated 05.04.2019 to the First Respondent relating to certain misdeeds committed by the Fifth Respondent in conducting the affairs of the said Co-operative Society, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



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3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 05.04.2019 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner and the Fifth Respondent requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner, the Fifth Respondent and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and
- (v) the report of such compliance shall be filed by 30.09.2024 before the Registrar (Judicial) of the Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.05.2024.

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To

1. The Registrar of Cooperative Societies,
No. 170, EVR Periyar High Road,
Kilpauk, Chennai - 10.01.2024
2. The Administrator,
MES (Defence) Employees' Cooperative
Thrift and Credit Society Limited,
Regd. No. XC-176,
Garrison Engineer,
Fort St.George,
Chennai - 9.
3. The Assistant Garrison Engineer E/M,
Water Supply Section,
Fort St.George,
Chennai – 9.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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2. K.S.Shanmugam,
S/o. Songappa Gounder,
No. 105, Lakshmi Nagar (West),
Solar,
Erode – 638 002.

3. J.Senthilvel,
S/o. Jaganthan,
Perumapalayam,
Modakurichi – 638 104,
Erode District.



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P.D. AUDIKESAVALU, J.

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