



WEB COPY



W.P.No.2118of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2118 of 2024

S.Karnan

... Petitioner

Vs.

1.The Director,
Department of Fisheries and Fisheries Welfare,
Teynampet, DMS Complex,
Chennai 600 118.

2.The Registrar,
Registrar of Co-operative Societies,
No.170, NV Natarajan Maaligai,
Periyar EVR High Road,
Poonamallee High Road,
Kilpauk, Chennai 600 010.

3.The Assistant Director,
Department of Fisheries and Fisheries Welfare,
Villupuram District.

4.The President,
Fishermen Co-operative Societies of Kachirapalayam,
Kallakurichi District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 31.10.2023 and to bifurcate



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from the parent 4th respondent Society and to form a new society in M/s.Vadakathanal Fishermen Co-operative Society.

For Petitioner : Mr.V.Karnan

For Respondents : Mr.S.Nanmaran, SGP for R1 to R3
Mr.V.Ramesh, GA for R4

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 31.10.2023 and to bifurcate from the parent 4th respondent Society and to form a new society in M/s.Vadakathanal Fishermen Co-operative Society.

2. Heard Mr.V.Karnan, learned counsel for the petitioner, Mr.S.Nanmaran, learned Special Government Pleader for the respondents 1 to 3 and Mr.V.Ramesh, learned Government Advocate for the fourth respondent.

3. The petitioner is one of the members of the fourth respondent Society. The fourth respondent Society has been formed for the welfare



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of the Fishermen Community. But the grievance of the petitioner is that the fourth respondent Society had failed to provide the benefits and other entitlements for the members of the Society who belonged to Vadakanathal Village. So the petitioner has stated that himself and a substantial group of members thought it fit to form a separate Society. In this regard, a representation has also been given on 31.10.2023 to the first and second respondents. Since no action was forthcoming, the petitioner is before this Court.

4. If the petitioner files due application for registering a new Society in accordance with the provisions of the Tamil Nadu Societies Act, the second respondent has to pass orders for registering the Society. However, the second respondent may not be able to register a fresh Society, if the petitioner offers to register the new Society also in the same name of the fourth respondent. As, the first and second respondents have not so far considered the representation of the petitioner dated 31.10.2023, and pass appropriate orders in a manner known to law.



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5. With the above observations, this Writ Petition is disposed and the first and second respondents are directed to consider the representation of the petitioner dated 31.10.2023 and pass appropriate orders in a manner known to law. No costs.

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Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



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To

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R.N.MANJULA, J.

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