



W.P.(MD)No.22588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2024

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CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN, J.**

W.P.(MD)No.22588 of 2024

P.Singaram

... Petitioner

-VS-

- 1.The Additional Secretary,
The Department of Co-operation,
Food and Consumer Protection,
Secretariat,
Tamilnadu Government,
Chennai.
- 2.The Registrar of Co-operative Society,
170, E.V.R. Periyar Road,
Kilpauk, Chennai.
- 3.The Election Commissioner,
Election Commission of
Cooperative Societies,
No.373, Kamadhenu Super Market,
Anna Salai, Thenampettai,
Chennai.
- 4.The Regional Joint Registrar,
Office of the Joint Registrar
of Co-operative Societies,
Pudukkottai District.
- 5.The Deputy Registrar,
Aranthangi Circle,
Aranthangi Taluk,
Pudukkottai District.



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6.The Administrator,
M.M.372, Virachilai Primary
Agricultural Co-operative
Credit Society,
Pudukkottai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 4th respondent to restore the Elected Board of Members to continue in the power for 128 days for the period of dethroning (03.04.2023 to 08.08.2023) the Elected Board of Members by considering the petitioner's representations dated 16.04.2024 and 23.07.2024 or alternatively to direct the 2nd respondent to take appropriate action by considering the petitioner's representation dated 16.04.2024 and 23.07.2024 to take actions against the 4th respondent who dethroned the power of the Elected Board of Members unconstitutionally before completing its term of 5 years on merits and in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.M.Murugan

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition is very novel.

2. The petitioner who is elected president of a cooperative society, wants the Government to extend his period by 128 days to compensate the period that he lost, because of an order of dissolution of the board passed by the 4th respondent

<https://www.mhc.tn.gov.in/judis>



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on 02.04.2023. The order dissolving the board was subsequently set aside on 09.08.2023 and the board was restored. The order of restoration states that the elected members will continue till 20.03.2024, that is the date of expiry of the five year period for which they were elected. Therefore, the petitioner has ceased to be the president of the society as on date, he cannot seek extension to compensate for the period that was lost during the pendency proceedings before the 4th respondent. Since the period for which he was elected is already over and he is deemed to have demitted office on 20.03.2024 itself, we do not see any merit in the writ petition.

3. The writ petition is therefore dismissed. There shall be no order as to costs.

[R.S.M., J.]

[S.M., J.]

24.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml

To

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