



W.P.(MD)No.22535 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.22535 of 2024
and
W.M.P.(MD)No.19064 of 2024**

V.Marimuthu

... Petitioner

-VS-

- 1.The District Collector,
Office of the District Collector,
Tirunelveli.
- 2.The District Registrar,
Cooperative Credit Society,
Tirunelveli District.
- 3.The Joint Registrar,
Additional Charge,
Office of the Joint Registrar of Cooperative Societies,
No.1, Meighnana Street,
Tirunelveli.
- 4.Naduvankurichi Primary Agricultural Credit Societies,
Rep. by its President,
Tirunelveli.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to keep intact the 13 fair price shops running under the Naduvankurichi Primary Agricultural Credit Societies, on the basis of the representation sent by the petitioner dated 29.08.2024, within the time frame as fixed by this Court.

For Petitioner : Ms.W.Pamelin

For R1 to R3 : Mr.P.Thilakkumar
Government Pleader

ORDER

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

Prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus, directing the respondents to keep intact the 13 fair price shops running under the Naduvankurichi Primary Agricultural Credit Societies, on the basis of the representation sent by the petitioner dated 29.08.2024, within the time frame as fixed by this Court."

2. The Joint Registrar of Co-operative Societies / the third respondent herein has filed a counter affidavit, wherein it has been stated that the decision to transfer the management of the fair price shops to the District Consumer Co-



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operative Wholesale Store, has been taken mainly because the Naduvakurichi Primary Agricultural Co-operative Credit Society, which is at present running the shops, has suffered huge losses and the accumulated loss in the financial year 2022-2023 is about Rs.1.81 Crores. The decision as to whether the fair price shops should be run by the District Co-operative Society or by a particular Co-operative Society is essentially a policy decision, which has to be taken by the authorities depending on the ground situation. We do not think that this Court can interfere with the said decision, even though it is contended that the loss is not from the fair price shops, but it is from the other activities of the Society.

3. The third respondent in his counter affidavit has further stated that the location of the fair price shops will not be shifted. Therefore, there is no inconvenience to the public.

4. The Writ Petition is, therefore, dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : No
Index : No
smn2

[R.S.M., J.] [L.V.G., J.]
03.10.2024



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To
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No.1, Meighnana Street,
Tirunelveli.
- 4.The President,
Naduvankurichi Primary Agricultural Credit Societies,
Tirunelveli.



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and
L.VICTORIA GOWRI, J.

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