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Writ Petition No.16004 of 2020

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.01.2025**

**CORAM :**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**Writ Petition No.16004 of 2020  
and WMP Nos.19915 & 19916 of 2020**

- 1.T.Tamilarasu
- 2.E.Sarvesan
- 3.E.Vivekanandan
- 4.K.Govindaraju
- 5.K.Jayalakshmi
- 6.S.Dasarathan
- 7.A.K.Anbarasan
- 8.S.Senthil

.... Petitioners

**-Vs-**

- 1.The Additional Chief Secretary  
Co-operative Food and Consumer  
Protection Department  
Secretariat, Fort.St.George  
chennai-600 009.
- 2.The Registrar of Co-operative Societies  
No.170, E.Ve.Ra.Periyar Salai  
N.V.Natarajan Maaligai  
Kilpauk, Chennai-600 010.



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3.The Managing Director  
Chennai Central Co operative Bank  
215, Prakasam Salai  
Prakasam Road, Broadway  
Chennai-600001.

4 .The Park Town Co operative  
Wholesale Departmental Store  
Rep by its Managing Director  
No 185 Praksam Road, (Koththavalsavadi)  
Broadway, Chennai 600 001.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in G.O. Ms. NO.85 Cooperative Food and Consumer Protection Department dated 18.08.2020 issued by the 1st Respondent quash the same and consequently direct the 2nd and 3rd Respondents to utilize the property situated at Plot No. 5102- F2 15<sup>th</sup> Main Road, Anna Nagar West, Chennai for the benefit of the 3rd Respondent and its employees.

For Petitioners : Mrs.D.Geetha

For Respondents : Mr.M.Muthusamy  
Government Advocate  
for R1 & R2

Mr.M.Thirumurthy  
for Mr.L.P.Shanmugasundaram  
for R4

No appearance for R3



## **ORDER**

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The Writ Petition has been filed in the nature of a Certiorarified Mandamus, seeking records of G.O.Ms.No.85, Co-operative Food and Consumer Protection Department, dated 18.08.2020 issued by the 1<sup>st</sup> respondent, the Additional Chief Secretary, Co-operative Food and Consumer Protection Department, Chennai and quash the same and direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to utilise property at Plot No.5102-F2, 15 Main Road, Anna Nagar West, Chennai for the benefit of the 3<sup>rd</sup> respondent and its employees. The Writ petition has been filed by eight separate individuals some of them are retired employees and others are service employees of Chennai Central Co-operative Bank, the 3<sup>rd</sup> respondent. They have not disclosed this fact in the affidavit.

2.By way of the Government Order, permission was granted for sale of a limited portion of land namely about 4800 sq.ft of land out of a larger area of 14,427 sq.ft., of land owned by the 3<sup>rd</sup> respondent to the 4<sup>th</sup> respondent. The petitioner claimed that the large land is utilised for the benefit of the employees and others of the 3<sup>rd</sup> respondent. But, however it is seen in the counter affidavit filed that 4800 Sq.ft of land had been sold on 27.12.2004 in accordance with



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proceedings in RC.No.165340/2002ACS3 dated 8.11.2004 of the Additional Registrar of Co-operative Societies (Credit).

3.It is contended on behalf of the respondents that there is still substantial land available to an extent of 9,627 Sq.ft., with the 3<sup>rd</sup> respondent. It is thus urged by the learned counsel that the issue raised in the writ petition have not become infructuous consequent to the sale made.

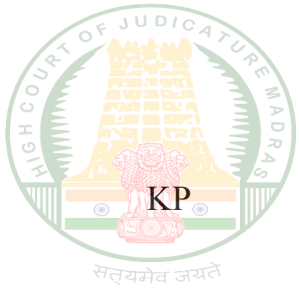
4.The G.O itself permitted such sale and therefore there cannot be any interference with the said G.O particularly as the G.O had been put into effect. The land had been earmarked and identified and already sold in a transaction between the 3<sup>rd</sup> and 4<sup>th</sup> respondents. The challenge to the G.O has now become infructuous.

5.The Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.01.2025

Index : Yes/No

NCS : Yes/No



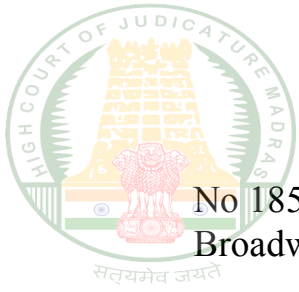
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To

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**C.V.KARTHIKEYAN.,J**  
KP

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