



W.P.(MD)No.11005 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11005 of 2025

A.Arumugam

: Petitioner

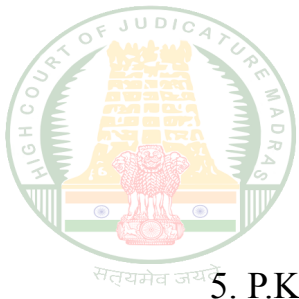
Vs.

1. The Registrar of Co-Operative Societies,
O/o. the Registrar of Co-Operative Societies,
No.170, NV Natarajan Maaligai,
Periyar EVR High Road,
Poonamalle High Road,
Kilpauk, Chennai District.

2. The Commissioner of Fisheries and Fishermen Welfare,
3rd Floor,
Integrated Animal Husbandry and Fisheries Building,
Nandanam,
Chennai District.

3. Assistant Director of Fisheries,
O/o. the Assistant Director of Fisheries,
District Collectorate,
Ramanathapuram.

4. Deputy Director of Fisheries,
District Collectorate Campus,
District Treasury Building (1st Floor),
Fisheries and Fisheries Welfare Department,
Ramanathapuram District.



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5. P.Kalanchiyaraj,
President,
RMM 6 Therkuvadi Fishermen Cooperative Society,
Therkuvadi,
Pamban,
Rameswaram Taluk,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to conduct enquiry on the mismanagement committed by the 5th respondent in RMM 6 Therkuvadi Fishermen Cooperative Society by considering the petitioners representations dated 15.02.2025 and 07.04.2025.

For Petitioner : Mr.M.Mahaboob Fazil
for M/s. Roy and Roy Associates

For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader R1 - R4

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the first respondent to conduct enquiry into the mismanagement allegedly committed by the fifth respondent in RMM 6 Therkuvadi Fishermen Cooperative Society, by considering the petitioner's representations dated 15.02.2025 and 07.04.2025.



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2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.

3. The petitioner claims to be an Executive Committee Member of the fifth respondent Society. Alleging that the fifth respondent, who is functioning as the President of the Executive Committee, has been administering the Society in violation of its bye-laws and the provisions of the Tamil Nadu Co-operative Societies Act, 1983, the petitioner submitted representations dated 15.02.2025 and 07.04.2025 to the first respondent, requesting that an enquiry be conducted into the alleged mismanagement by the fifth respondent. As no action has been taken till date, the petitioner has now filed the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to consider the representations of the petitioner and pass appropriate orders,



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within a time frame that may be stipulated by this court.

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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representations dated 15.02.2025 and 07.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter



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and that it is open to the first respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

22.04.2025

Index : Yes / No

Internet : Yes / No

PKN

To

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**Fisheries and Fisheries Welfare Department,
Ramanathapuram District.**



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VIVEK KUMAR SINGH, J.

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