



W.P. No.19857 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.19857 of 2023

and

W.M.P. No.19203 of 2023

The President
S.654, Agasipalli Primary Agricultural Co-
Operative Credit Society,
Kaattinayanappalli Village And Post,
Krishnagiri Taluk And District.

..Petitioner(s)

Vs

1. The State Information Commissioner
A-Section,
Tamil Nadu Information Commission,
Block No.19, Government Farm Village,
Parnpettai, Nandanam, Chennai- 600 035.
2. The Deputy Registrar Of Co- Operative
Societies
Krishnagiri Circle, Krishnagiri District.
3. M.S.Sankar

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari to call for the records relating to the impugned order dated 18.05.2023 in Case No.SA/ 18062 /A / 2022 passed by the 1st respondent and the proceeding Na.Ka. 53 / 2021 /tho.va dated 13.06.2023 passed by the 2nd respondent and quash the same.



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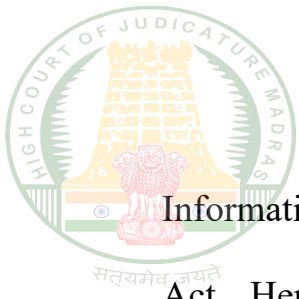
For Petitioner : Mr.R. Balaramesh
For Respondents : Mr.C.Vigneswaran for R1
Mr.C.Prabakaran, Govt. Counsel for R2
R3-No Appearance

ORDER

This writ petition has been filed to call for the records relating to the impugned order dated 18.05.2023 passed by the 1st respondent in Case No.SA/18062/A/2022 and the consequential proceedings of the 2nd respondent in Na.Ka.No.53/2021/Tho.Va., dated 13.06.2023 and to quash the same.

2. It is stated that their Society is a registered one. While so, the 3rd respondent sought certain information under the provisions of the Right to Information Act, 2005. Since the petitioner society is not a public authority, the information sought for was not furnished. Aggrieved by the same, the 3rd respondent preferred a second appeal before the 1st respondent. Pursuant to which, the 1st respondent vide order dated 18.05.2023, issued directions to furnish the information sought for and consequently the 2nd respondent issued proceedings dated 13.06.2023. Challenging the order as well as proceedings of the 1st and 2nd respondents dated 18.05.2023 and 13.06.2023, this writ petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner Society is not a "public authority" within the meaning of Section 2(h) of the Right to



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Information Act, 2005 and therefore is not amenable to the provisions of the

Act. Hence, he submitted that their Society does not fall within the ambit of the Right to Information Act. The law is now well settled by the decision of the Hon'ble Division Bench of this Court in the case of ***Thalappalam Ser. Coop. Bank Ltd., and Ors. Vs. State of Kerala and Ors.*** reported in (2013) 16 SCC 82, wherein it has been held that a Co-operative Society will not fall within the purview of the Right to Information Act.

4. In view of the settled law, as stated supra in ***Thalappalam's*** case, the impugned order has to be necessarily quashed and the writ petition will have to be allowed. Accordingly, the impugned orders dated 18.05.2023 and 13.06.2023, which are the subject matter of this writ petition are hereby quashed and the writ petition is allowed. No Costs. Consequently, connected miscellaneous petition is closed.

19.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

vsi2



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vsi2

To :

1. The State Information Commissioner
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Tamil Nadu Information Commission,
Block No.19, Government Farm Village, Parnpettai,
Nandanam, Chennai- 600 035.
2. The Deputy Registrar Of Co- Operative Societies
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