

BEFORE THE SENIOR INSPECTOR (PLANNING)
COOPERATIVE DEPARTMENT, GOVERNMENT OF PUDUCHERRY.

N.M.D.No. 8 of 2024-2025

(1) **M.PANNIRSELVAME**
S/o. Masilamani
(Member No.559)
Senior Assistant, School of Engineering & Technology
Pondicherry University
Kalapet
Puducherry – 605 014.

(2) **S.SIVAKUMAR**
S/o. Sivaprakasam
(Member No.1165)
Data Entry Operator (Establishment – NT)
Pondicherry University, Kalapet
Puducherry – 605 014.

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Petitioners

Vs.

(1) **G.JAYAMURTHY**
(Member No.596)
Junior Assistant (Examination Wing – DDE)
Pondicherry University, Kalapet
Puducherry – 605 014.

(2) **K.ANBAZHAGAN**
(Member No.554)
Assistant (Department of Bio-Informatics)
Pondicherry University, Kalapet
Puducherry – 605 014.

(3) **A.NAGARAJU**
(Member No.1090)
Horticulture Attendant (Department of Computer Science)
Pondicherry University, Kalapet
Puducherry – 605 014.

(4) **The Administrator**
Pondicherry University Staff Cooperative Credit Society Ltd.,No.P.508
Kalapet
Puducherry – 605 014.

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Respondents



ORDER

(Issued under Section 84 of the Puducherry Cooperative Societies Act, 1972 read with Rule 67 of the Puducherry Cooperative Societies Rules, 1973)

The above-named petitioners, members of the Pondicherry University Staff Cooperative Credit Society Ltd., No.P.508 (*for brevity "the society"*) and newly elected Directors of the Committee of Management (*for short the Committee"*) of the society, filed this dispute, dated **18.08.2025**, before the Registrar of Cooperative Societies (*for short "the RCS"*), Puducherry, under Section 84 of the Puducherry Cooperative Societies Act, 1972, (*for short "the Act"*), challenging the legality of the election of the Private-Respondents 1 to 3 herein, who were also newly elected Directors of the Committee in the election held on **14.07.2025**. The petitioners also prayed for an interim order in respect of office-bearers election by and from among the newly elected Directors.

[2] This dispute was taken up by the RCS and transferred to the undersigned for adjudication, vide proceedings dated **26.08.2025**.

[3] The petitioners filed this dispute on **18.08.2025** and prayed for an interim order in respect of office-bearers election, by and from among the newly elected Directors, whereas, a meeting was already conducted on **16.07.2025** to elect new office-bearers of the society from among the newly elected Directors. Out of the nine newly elected Directors, seven (7) Directors attended the said meeting. In the said meeting, **Thiru S.Sivakumar** (the 2nd Petitioner herein), **Thiru M.Pannirselvame** (the 1st Petitioner herein) and **Thiru P.Manikannan** were elected as the new President, Vice-President and Treasurer of the society respectively, vide Resolution Nos. 4, 5 and 6 dated **16.07.2025** respectively. Further, the present Administrator of the society issued a notice dated **11.08.2025**, to the newly elected Directors of the committee, regarding the office-bearers election proposed on **14.08.2025**. For administrative reasons, the present Administrator issued another notice dated **13.08.2025**, whereby, he cancelled the office-bearers election scheduled on **14.08.2025**. Hence, the petitioners' prayer for an interim order, in respect of office-bearers election, by and from among the newly elected Directors, was not considered, in this dispute..

[4] The 1st and 2nd private respondents filed their counter dated **08.09.2025**. The 3rd private respondent filed his counter dated **09.09.2025**. The 4th official respondent filed his counter dated **16.09.2025**. The petitioners filed their rejoinders dated **30.09.2025**. The 1st to 3rd private respondents filed their written arguments dated **15.10.2025**.



[5] On perusal of the records and documents made available in this dispute, the following indisputable facts and events, in chronological order, are revealed:

- a) The 4th respondent-society is a registered primary level cooperative credit society, registered under the Act.
- b) The term of office of the then elected committee of the society was to expire on **30.06.2025**.
- c) The term of office of the then elected committee of the society was extended by the RCS from **01.07.2025 to 18.07.2025**.
- d) The said committee resolved, **vide Resolution No.1 dated 23.06.2025**, to conduct election to elect a new committee.
- e) The then President of the society issued an Election Notice dated **23.06.2025**, to conduct an election to elect a new committee, consisting of nine (9) Directors, to hold office for a period of three (3) years from **19.07.2025 to 31.03.2028**. Six Directors were to be elected from Constituency –I and three (3) Directors were to be elected from Constituency-II. The said election process commences from **publication of tentative eligible voters list on 25.06.2025** and ends with **conduct of polling on 14.07.2025**.
- f) The said committee resolved, **vide Resolution No.2 dated 23.06.2025**, to appoint Professor Sridharan as **Election Officer** to conduct the said election.
- g) The following were revealed from the proceedings of the then committee and the said Election Officer :-

Events	Constituency			Total
	I	II (General)	II (SC)	
No. of Final Voters published on 02.07.2025	394	298		692
No. of nominations received on 03.07.2025	9	19	4	32
No. of nominations declared as valid on 04.07.2025	9	19	3	31
No. of nominations withdrawn	2	3	-	5
No. of candidates for contest as on 07.11.2025	7	16	3	26
No. of votes polled	332	283		615



- h) It is noticed that, the following nine (9) candidates were declared elected as new Directors:

S. No.	M. No.	Name of the candidate	Position in this dispute
Constituency – I			
1	845	Leeladharan M	
2	1006	Vijayakumar P	
3	1132	Suresh Joseph K	
Constituency – General)			
4	554	Anbazhagan K	2 nd Respondent
5	559	Pannirselvame M	1 st Petitioner
6	596	Jayamurthy G	1 st Respondent
7	1165	Sivakumar S	2 nd Petitioner
8	1218	Manikannan P	
Constituency – II (SC)			
9	1090	Nagaraju A	3 rd Respondent

- i) It is noticed that, a meeting was conducted on **16.07.2025** to elect new office-bearers of the society from among the newly elected Directors. Out of the nine newly elected Directors, seven (7) Directors attended the said meeting.

S. No.	Member No.	Name of the newly elected Directors
Details of newly elected Directors, who attended the meeting		
1	559	Pannirselvame M
2	596	Jayamurthy G
3	845	Leeladharan M
4	1006	Vijayakumar P
5	1132	Suresh Joseph K
6	1165	Sivakumar S
7	1218	Manikannan P
Details of newly elected Directors, who didn't attend the meeting		
1	554	Anbazhagan K
2	1090	Nagaraju A

- j) In the said meeting, **Thiru S.Sivakumar** (the 2nd Petitioner herein), **Thiru M.Pannirselvame** (the 1st Petitioner herein) and **Thiru P.Manikannan** were elected as the new President, Vice-President and Treasurer of the society respectively, vide Resolution Nos. 4, 5 and 6 dated 16.07.2025 respectively.
- k) It is noticed that, the newly elected Committee failed to assume office with effect from 19.07.2025 even though office-bearers election was held on 16.07.2025.



- l) Based on various representations, the RCS appointed an Administrator, vide proceedings dated **23.07.2025**, to hold office **with effect from 19.07.2025**.
- m) The Administrator issued a notice dated **11.08.2025**, to the newly elected Directors of the committee, regarding the office-bearers election proposed on 14.08.2025.
- n) For administrative reasons, the Administrator issued another notice dated **13.08.2025**, whereby, he cancelled the office-bearers election scheduled on **14.08.2025**.

[6] The 4th official-respondent submitted that, the then committee of the society didn't publish the "tentative eligible voters list" on **25.06.2025** as scheduled in the said election notice dated **23.06.2025**. On perusal of the minutes book of the society, this contention is found to be correct. Surprisingly, no member of the society raised any objection for non-publication of tentative eligible voters list on 25.06.2025. Further, out of the 692 eligible voters, 615 members of the society exercised their voting right in the polling held on 14.07.2025, which amounts to **88.8%** of the eligible voters. Despite this procedural lapse on the part of the then committee of the society, it can't be considered as a concrete decisive factor to vitiate the entire election process.

[7] The 4th official-respondent alleged that, the petitioners submitted a forged version of his cancellation notice dated **13.08.2025**. He added that, he issued the said cancellation notice in Tamil, whereas, the petitioners produced the said cancellation notice in English bearing his forged signature. For this allegation, the petitioners defended that they received the English version of the cancellation notice in their mobile in the Whatsapp Group and had taken a print out of the circulated English version. Really, this is a serious allegation, which needs criminal investigation. Hence, the 4th official-respondent, viz., **the present Administrator of the society, shall initiate criminal proceedings, in accordance with law in force, to punish the offender(s).**

[8] The main and vital allegation of the petitioners is *"the private-respondents 1 to 3 herein incurs disqualification, under Section 34 (1) (b) (i) of the Act, for being elected or appointed as a member of a committee inasmuch as they defaulted to the society in respect of repaying their loan dues for a period exceeding three months"*.

[9] **Section 34 (1) (b) (i) of the Act is reproduced hereunder:**

No person shall be eligible for being elected or appointed as a member of a committee, if he is in default to the society or any other registered society or he is a representative of a society, which is in default to the financing bank or to any other registered society, in respect of any sum of money due by him or by the society, which he represents for a period exceeding three months.



[10] The private-respondents 1 to 3 herein were duly elected as Directors of the new committee in the election held on 14.07.2025. If so, the moot question to be discussed and answered in this dispute is "Did private-respondents 1 to 3 herein incur disqualification as on 14.07.2025 for being elected as a member of the committee of the society".

[11] It is reported that the 1st private-respondent, viz., G.Jayamurthy (Member No.596), borrowed Medium-Term Loan (MTL) (Loan No.20400) from the society and agreed to repay the said loan in 35 Equal Monthly Instalments (EMI), along with interest due thereon.

Date of issue of loan	06.01.2025
Loan amount	Rs.17,00,000/-
Repayment Period (EMI – Equal Monthly Instalment)	35 Months
Monthly EMI (Principal Part)	Rs.48,571/-

The loan was issued in January, 2025, and hence, repayment shall begin in February, 2025. Details of EMIs due and EMIs remitted are detailed hereunder :-

Month	Actual EMI Due Rs.	Actual recovery made Rs.	Shortfall Rs.
February, 2025	48,571	34,353	14,218
March, 2025	48,571	34,461	14,110
April, 2025	48,571	35,878	12,693
May, 2025	48,571	35,763	12,808
June, 2025	48,571	36,266	12,305
Total:	2,42,855	1,76,721	66,134

3 Months EMI due was Rs.1,45,713/- (i.e., Rs.48,571/- x 3 EMIs = Rs.1,45,713/-). He was defaulted to the society as on 14.07.2025 for a shortfall of Rs.66,134/-, i.e., less than the 3 months EMI. Hence, it is proved that, his loan was not overdue as on 14.07.2025 for a period exceeding three months.

[12] It is reported that the 2nd private-respondent, viz., K.Anbazhagan (Member No.554), borrowed Medium-Term Loan (MTL) (Loan No.20318) from the society and agreed to repay the said loan in 44 Equal Monthly Instalments (EMI), along with interest due thereon.

Date of issue of loan	08.10.2024
Loan amount	Rs.16,10,000/-
Repayment Period (EMI – Equal Monthly Instalment)	44 Months
Monthly EMI (Principal Part)	Rs.36,591/-



Month	Actual EMI Due Rs.	Actual recovery made Rs.	Excess / Shortfall Rs.	
			(+)	(-)
October, 2024		36,591	36,591	
November, 2024	36,591			36,591
December, 2024	36,591			3,618
January, 2025	36,591	32,973		
February, 2025	36,591	36,591		
March, 2025	36,591	36,591		
April, 2025	36,591	36,591		36,591
May, 2025	36,591			36,591
June, 2025	36,591	36,591		
Total:	2,92,728	2,15,928	36,591	1,13,391

The loan was issued in October, 2024, and hence, repayment shall begin in November, 2024. It is found that his recoveries were commenced from October, 2024 itself. 3 Months EMI due was Rs.1,09,773/- (i.e., Rs.36,591/- x 3 EMIs = Rs.1,09,773/-), whereas, the 2nd private-respondent defaulted to the society for an **overall shortfall of Rs.76,800/-**, (Shortfall of Rs.1,13,391/- minus excess of Rs.36,591/-), i.e., less than the 3 months EMI. Hence, **it is proved that, his loan was not overdue as on 14.07.2025 for a period exceeding three months.**

[13] It is reported that the 3rd private-respondent, viz., A.Nagaraju (Member No.1090), borrowed Medium-Term Loan (MTL) (Loan No.20411) from the society and agreed to repay the said loan in 90 Equal Monthly Instalments (EMI), along with interest due thereon.

Date of issue of loan	13.01.2025
Loan amount	Rs.12,25,000/-
Repayment Period (EMI – Equal Monthly Instalment)	90 Months
Monthly EMI (Principal Part)	Rs.13,611/-

Month	Actual EMI Due Rs.	Actual recovery made Rs.	Excess / Shortfall Rs.	
			(+)	(-)
January, 2025		13,611	13,611	
February, 2025	13,611	13,611		
March, 2025	13,611	8,611		5,000
April, 2025	13,611	13,611		
May, 2025	13,611	11,595		2,016
June, 2025	13,611	11,702		1,909
Total:	68,055	72,741	13,611	8,925



The loan was issued in January, 2025, and hence, repayment shall begin in February, 2025. It is found that his recoveries were commenced from January, 2025 itself. He was not defaulted to the society as on 14.07.2025. In fact, as on 14.07.20125, he excessively remitted a sum of Rs.4,686/- (i.e., Excess of Rs.13,611/- minus shortfall of Rs.8,925/-). Hence, it is **proved that, his loan was not overdue as on 14.07.2025 for a period exceeding three months.**

[14] On the above premises, it is declared and ordered that, all the three private-respondents, viz., R1 - G.Jayamurthy, Member No.596, R2 - K.Anbzhagan, Member No.554 and R3 - A.Nagaraju, Member No.1090, didn't attract disqualification on 14.07.2025, under Section 34 (1) (b) (i) of the Act, to become members of the committee of the society, and hence, their election to the Committee of the society in the election held on 14.07.2025 is legally valid.

[15] This dispute is disposed of with the above declaration and order. No costs.

Pronounced in the open court on **Monday, this 17th day of November, 2025 (17-11-2025).**



K. Danalakshmi
17/11/2025
(K.DANALAKSHMI)
Senior Inspector (Planning)

To:

- 1) The Petitioners
- 2) The Respondents

Copy to:

- 1) The Deputy Registrar of Coop. Societies (Planning)
Coop. Dept., Puducherry.
- 2) Stock File, 2025, Coop. Legal Cell, Coop. Dept., Puducherry.
- 3) The Web Editor, Coop. Dept., Puducherry.

>>> for information

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