



W.P(MD) No.15717 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.07.2026

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THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD) No.15717 of 2026
and
W.M.P(MD)No.11799 of 2026

Elangovan

... Petitioner

Vs.

- 1.The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Medical College Road,
Thanjavur - 613 007.
- 2.The Deputy Registrar of Co-operative Societies,
O/o.The Deputy Registrar of Co-Operative Societies,
Medical College Road,
Thanjavur - 613 007.
- 3.The Co-Operative Sub Registrar / Administrator,
T-1833 Thennangudi Primary Agricultural Cooperative Credit Society,
Thennankudi Post,
Thanjavur Taluk,
Thanjavur District – 613 601.

... Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the 3rd respondent dated 15.11.2024 vide in Na.Ka.No.1 of 2024 and quash the same and consequently direct the respondents to considering the representation of the petitioner dated 09.06.2026 in so far as the petitioner is concerned.

For Petitioner : Mr.S.Karthikeyan

For Respondents : Mr.C.Jeganathan

Counsel for Government of Tamil Nadu

ORDER

This writ petition has been filed assailing the order issued by the 3rd respondent vide proceedings in Na.Ka.No.1 of 2024 dated 15.11.2024 requiring the petitioner to pay an amount of Rs.2,47,560/- as a condition precedent for release of the terminal benefits of the petitioner.

2. At the threshold an objection is raised against the maintainability of the present writ petition on the ground that the writ petition is not maintainable against 3rd respondent, which is a Society



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registered under Tamil Nadu Cooperative Societies Act, 1983, by placing reliance on a Full Bench decision of this Court in ***K.Marappan Vs. The Deputy Registrar of Co-operative Societies*** reported in ***2006 (4) CTC 689***, wherein, the learned Full Bench held that the writ petition under Article 226 Constitution of India is not maintainable against the Co-operative Society in the absence of violation of any statutory provisions or Rules thereunder, as the same is neither a State nor an instrumentality of the State within the meaning of Article 12 of the Constitution of India.

3. It is also brought to the notice of this Court though the petitioner is retired as a Secretary which is now brought under Common Cadre Service Rules. The petitioner is stated to have retired prior to coming into force of Common Cadre Service Rules and therefore, he cannot be treated as common cadre employee, so as to maintain the present writ petition.

4. In the light of the above, this writ petition cannot be entertained against the impugned proceedings issued by the 3rd



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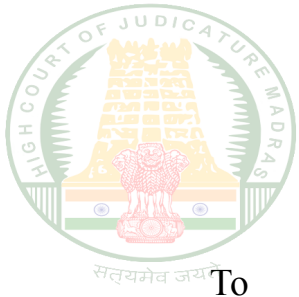
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respondent. However, the objection also raised on the ground of availability of an alternative remedy under Section 153 of Co-operative Societies Act, 1983.

5. In the light of the above, this Court is not inclined to entertain this writ petition and accordingly, this writ petition is disposed of permitting the petitioner to avail the remedy of revision under Section 153 of Act, 1983 before the 1st respondent herein within a period of four weeks from the date of receipt of a copy of this order. In case, if any such revision is filed by the petitioner within the time stipulated above, the 1st respondent shall entertain the same without reference to the period of limitation and pass appropriate orders on its own merits, as expeditiously as possible, at any rate, within a period of eight weeks from the date of filing the revision petition by the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

13.07.2026

Index : Yes / No
NCC : Yes / No
rm



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MUMMINENI SUDHEER KUMAR, J.

RM

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