

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.568 of 2015

V.S.Saraswathi

.. Appellant

Vs.

1.The Joint Registrar of
Co-operative Societies,
Coimbatore Region,
Coimbatore.

2.The Special Officer,
C.C.No.2360,
Thevampalayam Primary Agricultural
Co-op. Bank, Thevampalayam,
Coimbatore.

.. Respondents

This writ appeal is preferred under Clause 15 of the Letters Patent against the order of this court dated 10.6.2014 made in W.P.No.14817 of 2014.

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the representation sent by the petitioner dated 11.03.2014 on merits and in accordance with law.

For Appellant : Mr.A.S.Balaji
for M/s.Thenmozhi Shiva Perumal

For Respondents: Mr.L.P.Shanmugasundara, Spl.G.P. (Co-op)
for R-1
Mrs.T.P.Savitha for R-2

JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The challenge in this appeal is to the order dated 10.6.2014 passed by the learned Single Judge in W.P.No.14817 of 2014.

2. The writ petitioner approached the writ court, seeking a direction to consider his representation dated 11.3.2014 sent to the respondents. The learned Single Judge, holding that no writ petition against the cooperative society is maintainable, dismissed the writ petition. A Larger Bench of this court, comprising of five of the learned Judges of this Court in K.Marappan v. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal-636 001 and another¹, has laid down law that the co-operative society is not a "State" within the definition of Article 12 of the Constitution of India and as such, no writ petition is maintainable. Accordingly, the learned Single Judge dismissed the writ petition.

3. We do not find any error or illegality in the order of the learned Single Judge, warranting interference. Accordingly, the writ appeal is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Joint Registrar of
Co-operative Societies,
Coimbatore Region,
Coimbatore.
- 2.The Special Officer,
C.C.No.2360,
Thevampalayam Primary Agricultural
Co-op. Bank, Thevampalayam,
Coimbatore.

1 cc to Mr.M/s.Thenmozhi Shiva Perumal,Advocate, SR.No.19479

km(co)
pmk.21.4.2015

W.A.No.568 of 2015