

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 24.4.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12299 OF 2015

R.Ramavelu

... Petitioner

versus

- 1.The Commissioner of Milk Production
& Dairy Development,
Madhavaram Milk Colony,
Chennai 600 051.
- 2.The Deputy Registrar (Dairying)
Salem.
- 3.The President,
S.M.D. 948, Veeranam
Milk Producers Cooperative Society Ltd.,
Veeranam (PO),
Sukkampatti (Via)
Salem 636 122.

... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records in the issuance of the impugned orders No.Nil dated 3.4.2015 of the 3rd respondent and quash the same consequently direct the third respondent to reinstate the petitioner in service, regularizing the period of suspension as on duty for all service attendant benefits.

For petitioner

Mr.R.Sethu Pandian

For respondents

Mr.T.K.Ashok Kumar, for R-3

Mr.D.Venkatachalam, for respondents 1 &
2

O R D E R

This Writ Petition is filed seeking for a Writ of Certiorarified Mandamus to call for the records in the issuance of the impugned orders No.Nil dated 3.4.2015 of the 3rd respondent and quash the same consequently direct the third respondent to reinstate the petitioner in service, regularizing the period of suspension as on duty for all service attendant benefits.

2. With the consent of both parties, the Writ Petition itself is taken up for final disposal.

3. Admittedly, the petitioner is an employee of the third respondent Cooperative Society. The petitioner has questioned the suspension order issued by the 3rd respondent society, before this Court.

4. It is well settled that a Writ Petition cannot be maintained against a cooperative society, as held by Full Bench of this Court in K.Marappan vs. Deputy Registrar, Cooperative Societies, (2006 (4) CTC 689). Instead of approaching the revisional authority, he has chosen to question the suspension order before this Court, by way of this Writ Petition. Hence the Writ Petition fails and the same is dismissed. The petitioner is permitted to test his suspension order before the revisional authority, under the Tamil Nadu Cooperative Societies Act, if he is so advised.

5. In the result, the Writ Petition is dismissed. No costs. Consequently, M.P.Nos.1 and 2 are also dismissed.

Sd/-

Assistant Registrar(CS IV)

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सत्यमेव जयते

Sub Assistant Registrar

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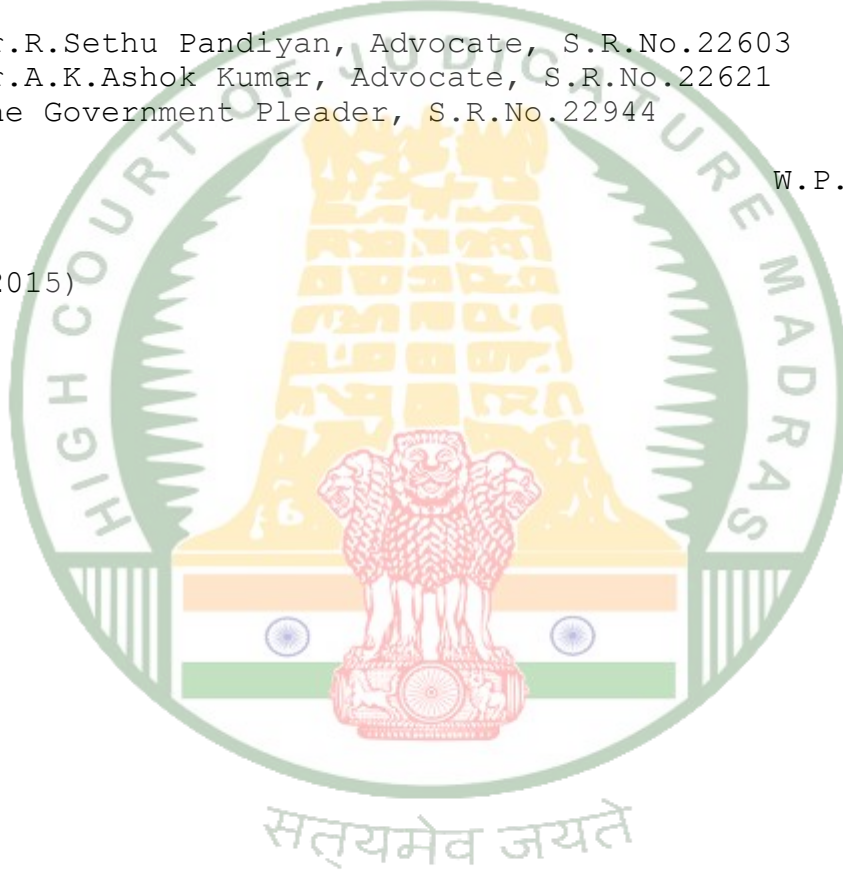
1.The Commissioner of Milk Production
& Dairy Development,
Madhavaram Milk Colony,
Chennai 600 051.

2.The Deputy Registrar (Dairying)
Salem.

+1cc to Mr.R.Sethu Pandiyan, Advocate, S.R.No.22603
+1cc to Mr.A.K.Ashok Kumar, Advocate, S.R.No.22621
+1cc to the Government Pleader, S.R.No.22944

W.P.No.12299 OF 2015

RSY(CO)
CA(25/05/2015)



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