

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22307 of 2015

S.Vijayakumar

...Petitioner

Versus

1. State of Tamil Nadu  
Rep. By the Director of Cooperative Audit  
Slum Clearance Buildings  
1<sup>st</sup> Floor, Chennai - 600 005
2. Joint Director of Cooperative Audit  
Slum Clearance Bulidings  
1<sup>st</sup> Floor  
Chennai - 600 005
3. The Assistant Director of Co-operative Audit  
Chennai North  
Opp. To LIC Building  
Anna Salai  
Chennai - 600 002
4. The President  
State Sector Bank Employees Co-operative Thrift and  
Credit Socieyt Ltd., XC-47  
United India Insurance Buildings  
Esplanade  
Chennai - 600 108

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the thrid respondent to instruct the 4<sup>th</sup> respondent to refund the amount of deduction of Rs.1,55,500/- to the petitioner with interest at the rate of 12% per annum and also direct him to supply the details of the PF loan availed by the petitioner and the recovery of amount effected from his monthly salary till his retirement from service for

which the petitioner made representations dated 30.07.2014 and 20.06.2015 to the third respondent and marked copies to the respondents 1,2 and 4.

For Petitioner : Mr.R.Malaichamy  
For Respondents : Mr.L.P.Shanmuga Sundaram  
R1 to R3 Special Govt. Pleader

O R D E R

The petitioner is an employee of the fourth respondent Society. According to him, some portion of amount has been recovered from his terminal benefits illegally. Hence, he came forward to file this writ petition seeking a direction to the third respondent to instruct the fourth respondent to refund the amount deducted from his terminal benefits.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. In my view, if the petitioner has any grievance, he should have approached the revisional authority under Section 153 of the Tamil Nadu Co-Operative Societies Act since the writ petition cannot be maintained against the Co-Operative Societies in view of the dictum laid down by a larger bench of this Court in K.Marappan Vs. The Deputy Registrar of Co-operative Societies reported in 2006 (4) CTC 689. Hence, the writ petition is dismissed with liberty to the petitioner to approach the revisional authority and if the petitioner approaches the revisional authority, the revisional authority is directed to dispose of the revision as expeditiously as possible.

4. Accordingly, the writ petition is dismissed. No costs.

Sd/-  
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

gpa

To

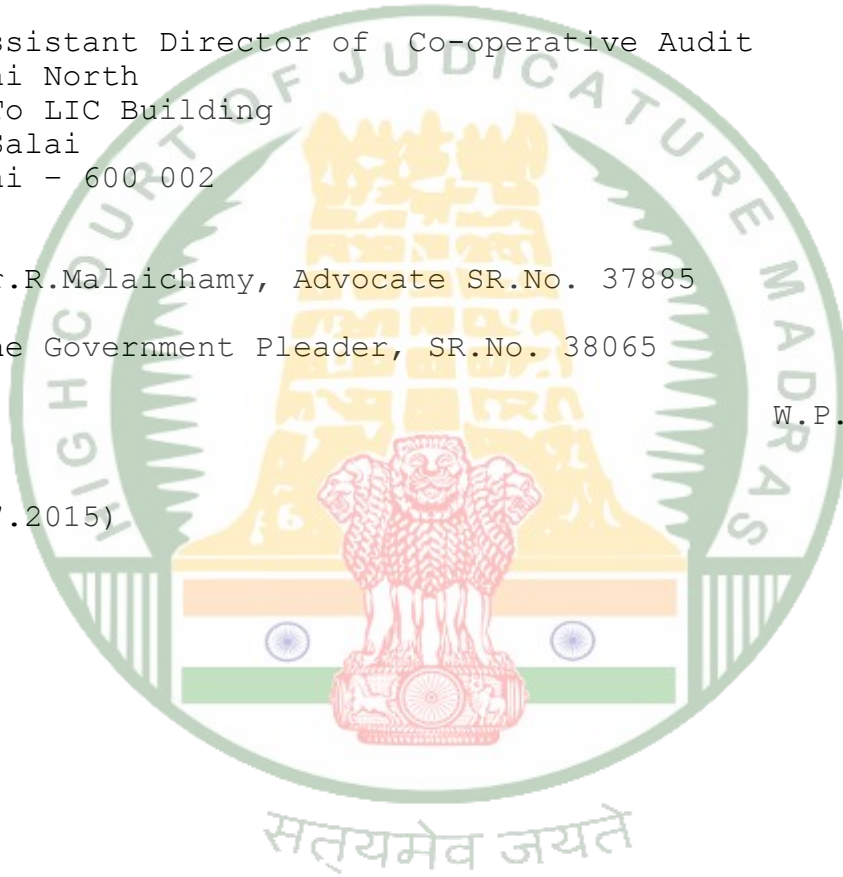
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1 CC to Mr.R.Malaichamy, Advocate SR.No. 37885

1 CC to the Government Pleader, SR.No. 38065

W.P.No.22307 of 2015

KU (CO)  
PSI (28.07.2015)



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