

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.11759 of 2016

S.Ramanathan

.. Petitioner

Vs

1. The Registrar of Co-operative Society(Housing)
No.493, Anna Salai,
Tamil Nadu Housing Board Building,
Nandanam, Chennai - 600 035

2. The President
Bharathi Co-Operative Building Society,
No.87A, P.H.Road, Perambur,
Chennai - 11

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the written representation dated 26.10.2015 and 29.01.2016 within a stipulated period.

For petitioner : Mrs. V.Kayalvizhi

For Respondents: Mr.D.Venkatachalam
Government Advocate

O R D E R

This writ petition has been filed by S.Ramanathan, seeking a writ of mandamus directing the respondents to consider his representation dated 23.11.2015.

2. Heard Mrs. V.Kayalvizhi, learned counsel for the petitioner and Mr.D.Venkatachalam, learned Government Advocate, who took notice for the respondents 1 and 2.

3. The petitioner, who was appointed as a junior helper under the second respondent on 01.11.1975, resigned his job on 23.7.2013. Since the petitioner was not paid salary from 01.5.2010 to 31.7.2012, he made a representation dated 26.10.2015 followed by reminder dated 29.01.2016 to the first respondent to release her salary but, till date, the same has

not been considered. Therefore, the petitioner has come to this Court.

4. The writ petition against the Co-operative Society, the second respondent herein, viz., Bharathi Co-operative Building Society, is not maintainable in the light of the judgment of the larger Bench reported in 2006 (4) CTC 689 (K.MARAPPAN v. THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES, NAMAKKAL CIRCLE, NAMAKKAL - 636 001 AND ANOTHER).

Accordingly, the writ petition is dismissed. No costs. It is open to the petitioner to approach appropriate forum under Section 153 of the Tamil Nadu Co-operative Societies Act 1983.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Registrar of Co-operative Society(Housing)
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2. The President
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+1 cc to Ms.V.Kayalvizhi Advocate sr.19700
+1 cc to Government Pleader sr.20090

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