

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP.No.7002 of 2017
and
WMP.No.7620 of 2017

R.Velayutham

..

Petitioner

Versus

1. The Joint Registrar of the Co-operative Societies,
Erode District,
Erode.
2. The Deputy Registrar of Co-operative Societies,
Erode Circle, Erode.
3. The Managing Director,
Central Cooperative Bank, Erode.
4. The President,
No.A.A.548 Seenapuram Sullipalayam Primary
Agriculture Co-operative Society Limited,
Sullipalayam, Thudupathi Via,
Perunthurai Taluk, Erode District 638 057.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records relating to the impugned order of suspension passed by the 4th respondent herein in ref.Na.Ka.No.1/2017 dated 06.03.2017.

For Petitioner : M/s.D.Gopal

For Respondents: Mr.L.P.Shanmugasundaram,
Special Government Pleader
[Coop.]

ORDER

The order challenged in this writ petition is the order of suspension issued by the President, Seenapuram Sullipalayam Primary Agriculture Co-operative Society Limited. As per the judgment of the Larger Bench of this Court reported in 2006 [4]

CTC 689 [K.Marappan Vs. The Deputy Registrar of Co-operative Societies] no writ will lie against the order passed by the co-operative society, since the co-operative society is not a State lies within Article 12 of the Constitution of India.

2. In view of the legal principles laid down in the above judgment cited supra, the present writ petition challenging the order of suspension passed by the Society is not maintainable and accordingly, the writ petition stands dismissed. However, no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

rka/sji

To

1. The Joint Registrar of the Co-operative Societies,
Erode District,
Erode.
2. The Deputy Registrar of Co-operative Societies,
Erode Circle, Erode.
3. The Managing Director,
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Agriculture Co-operative Society Limited,
Sullipalayam, Thudupathi Via,
Perunthurai Taluk, Erode District 638 057.

+1cc to Government Pleader sr.48446

+1cc to Mr.L.P.Shanmugasundaram,Advocate sr.47943

+1cc to Mr.D.Gopal,Advocate sr.47796

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rsy(co)
ss(29/7/2017)