

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9033 of 2017

J.Rajendran

... Petitioner

Vs.

1.The Registrar of Co-operative Societies,
Poonamallee High Road, Chennai.

2.The Joint Registrar,
Office of the Co-operative Societies,
Nagapattinam

3.The Management,
T.549 Memathur Primary Agricultural
Co-operative Credit Society Limited,
Nadu Street, Keezhmathur,
Memathur Post,
Tranqubar Taluk,
Nagapattinam District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of MANDAMUS, directing the respondent (i.e.) Management, T.549 Memathur Primary Agricultural Co-operative Credit Society Ltd., Nagapattinam, to pay the terminal benefits of the petitioner.

For Petitioners : Mr.G.K.R.Pandian
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

Heard Mr.G.K.R.Pandian, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents. With the consent of the learned counsel appearing on either side, the

Writ Petition is taken up for final disposal at the admission stage.

2.The relief sought for in the writ petition is for a direction to respondent management T.549 Memathur Primary Agricultural Co-operative Credit Society, to pay the terminal benefits of the writ petitioner.

3.Since the reliefs in this writ petition is sought for against the Co-operative Societies which is not a State with the meaning of Article 12 of the Constitution of India. The legal principle in this regard was settled by the Larger Bench of this Court in the case of Marappan and others Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689. It is left open to the petitioner to redress this grievances under the mechanism provided under the provisions of the Tamil Nadu Co-operative Societies Act, 1983.

4.In this view of the matter the writ petition cannot be entertained and accordingly, the Writ Petition stands dismissed as not maintainable. However, no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ah/rpa

To

1.The Registrar of Co-operative Societies,
Poonamallee High Road, Chennai.

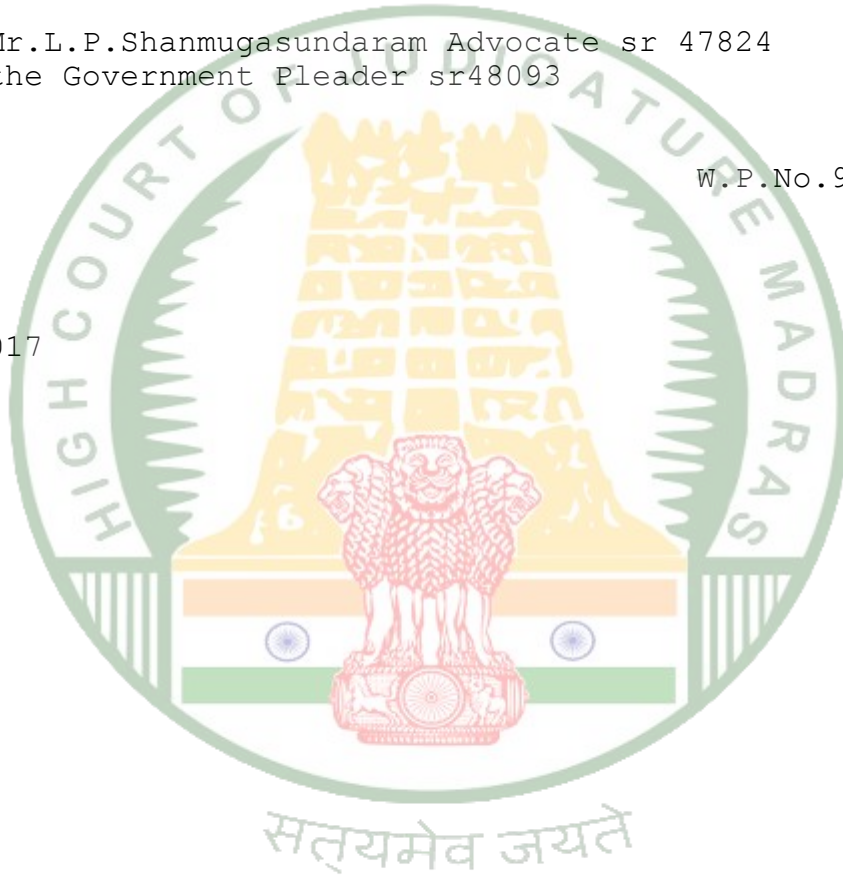
2.The Joint Registrar,
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Nagapattinam

3.The Management,
T.549 Memathur Primary Agricultural
Co-operative Credit Society Limited,
Nadu Street, Keezhmathur,
Memathur Post,
Tranqubar Taluk,
Nagapattinam District.

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr 47824
+1 cc to the Government Pleader sr48093

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