

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WRIT PETITION No. 8199 of 2017

Mrs.M.Enbam

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Dharmapuri Region,
O/o. Joint Registrar of Co-operative Societies,
District Collectorate, Dharmapuri.
2. The Deputy Registrar of Co-operative Societies,
Dharmapuri Region,
O/o. Joint Registrar of Co-operative Societies,
District Collectorate, Dharmapuri.
3. S.749, Santhappatti Primary Agricultural
Co-operative Credit Society Limited,
Rep. by its Secretary,
Santhapatti Village & Post,
Harur Taluk, Dharmapuri District-635 305.
4. The President
Board of Director
S.749, Santhappatti Primary Agricultural
Co-operative Credit Society Limited,
Santhapatti Village & Post,
Harur Taluk, Dharmapuri District-635 305.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to allow the petitioner to discharge duty as 'Office Assistant' at the third respondent society, based on the order of appointment made on 20.02.2012 by the CSR/Special Officer of the third respondent, within a reasonable time to be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.L.P.Shanmuga Sundaram
Special Government Pleader

O R D E R

The writ petitioner was appointed as Attender in the third respondent society vide proceedings dated 20th February 2012. The grievance set out in the writ petition by the writ petitioner is that pursuant to the order of appointment she was not permitted to work in the third respondent society. The relief sought for in this writ petition is particularly against the third respondent society, which is a Co-operative Society. The Co-operative society is not a State within the meaning of Article 12 of the Constitution of India. The legal principle regarding the non-maintainability of the writ petition against the Co-operative society was settled by the Larger Bench of this Hon'ble Court in the case of Marappan & Others Vs. Deputy Registrar of Co-operative Society reported in 2006 (4) CTC 689.

2. Therefore, the writ petition on hand is not maintainable and accordingly stands dismissed. However, no order as to costs.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

may a

To

1. The Joint Registrar of Co-operative Societies,
Dharmapuri Region,
O/o. Joint Registrar of Co-operative Societies,
District Collectorate, Dharmapuri.
2. The Deputy Registrar of Co-operative Societies,
Dharmapuri Region,
O/o. Joint Registrar of Co-operative Societies,
District Collectorate, Dharmapuri.

+1 CC to Mr.L.P. Shanmugasundaram, Advocate sr 46526
+1 CC to Mr.R. Neelakandan, Advocate sr 46721
+1 CC to Govt. Pleader sr 46855

W.P.No.8199 of 2017

SP(17/07/2017)



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