

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 23.10.2017****CORAM****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P.No.20434 of 2014**

V.Manisekaran

[PETITIONER]

Vs

- 1 The Registrar (Housing)
Tamilnadu Co-Operative Housing Societies
Nandanam, Tamilnadu Housing Board Complex
Chennai-600 035.
- 2 The Deputy Registrar (Housing)
Co-operative Housing Societies
No.15 1st West Main Road
Gandhi Nagar, Vellore-6.
- 3 The President
The Krishnagiri Co-operative House
Building Society Ltd. S.944
189 East Paralle Road
Co-operative Colony, Krishnagiri-635 001.

[RESPONDENTS]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 namely (1) The Registrar (Housing) Tamilnadu Co-Operative Housing Societies Chennai (2) The Deputy Registrar (Housing) Co-operative Housing Societies Vellore Region and (3) The President The Krishnagiri Co-operative Housing Building Society Ltd. S.944 Krishnagiri to consider the representation of the petitioner dated 12.05.2014 and take necessary action on the said representation within a time to be stipulated by this Court.

For Petitioner :Mr.N.E.A.Dinesh

For Respondents :Mr.L.P.Shanmugasundaram
Special Govt. Pleader

ORDER

The relief sought for in this Writ Petition is for a direction to direct the respondents to consider the representation of the writ petitioner dated 12.5.2014, in respect of the revision of scale of pay.

2.The learned counsel for the writ petitioner states that the writ petitioner was the retired Secretary of the third respondent Society and has served about 36 years in the Co-Operative Society. However, the salary and allowances as applicable to the writ petitioner on par with his juniors were not granted. In this regard, the writ petitioner has also submitted a representation to the respondents.

3.The writ petitioner being a retired employee of the Co-Operative Society and the Co-Operative Society being not a State within the meaning of Article 12 of the Constitution of India, the remedy lies for the writ petitioner is to approach the competent authorities under the provisions of the Tamil Nadu Co-Operative Societies Act, 1983. Thus, the writ petitioner is at liberty to approach

the competent authorities under section 153 of the Tamil Nadu Co-Operative Societies Act, for redressal of his grievances in respect of re-fixation of pay or other benefits. The legal principles with regard to the maintainability of the writ petition against the Co-Operative Societies are settled by the larger Bench decision of this Court in ***Marappan and others Vs. Deputy Registrar of Co-operative Societies, Namakkal [2006 (4) CTC 689]***.

4. Thus, the writ petitioner is at liberty to raise all the grounds raised in this writ petition before the competent authorities under section 153 of the Tamil Nadu Co-Operative Societies Act, by way of a Revision Petition. Thus, no further adjudication is required on merits in this Writ Petition. Accordingly, the Writ Petition stands dismissed. No costs.

23.10.2017

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To

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S.M.SUBRAMANIAM, J.,

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