

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8567 of 2017 and W.M.P.No.9390 of 2017

R.Dhayalan

.. Petitioner

Vs.

1. The Registrar of Co-operative Societies,
Poonamalle High Road, Kilpauk,
Chennai 600 010.
2. The Joint Registrar Co-operative Societies,
Thiruvannamalai Region,
Collectorate Building, Venkikal,
Thiruvannamalai.
3. The Deputy Registrar Co-operative Societies,
Thiruvannamalai District,
Collectorate Building,
Venkikal, Thiruvannamalai.
4. The Managing Director/Co-operative Sub Registrar,
Thiruvannamalai District/Consumer Co-operative
Whole Sale Store, Thiruvannamalai,
Thiruvannamalai District. ... Respondents.

PETITION filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records of the temporary suspension order dated 23.03.2017 in Na.Ka.No.0116/2017/E1 (3) by the fourth respondent and quash the same.

For Petitioner : Mr.P.Sivamani

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

O R D E R

The order impugned in this writ petition relating to the suspension of the writ petitioner and he is continuing under suspension on account of the initiation of disciplinary proceedings. The order of suspension dated 22.03.2017 was

issued by the Managing Director of the fourth respondent - Consumer Co-operative Wholesale Store, Tiruvannamalai District.

2. Co-operative Society is not a state under Article 12 of the Constitution of India and the maintainability of the writ petition is legally settled by the larger bench of this Honourable High Court in the case of K. MARAPPAN VS. DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES, NAMAKKAL reported in 2006 (4) CTC 689.

3. In view of the settled legal principles the writ petition challenging the order of suspension passed by the Consumer Co-operative Wholesale Store, Tiruvannamalai District, cannot be entertained and it is for the writ petitioner to work out his remedy under the provisions of the Tamilnadu Co-operative Societies Act, 1983.

4. In view of this matter, no further adjudication is required and accordingly the writ petition stands dismissed as not maintainable. However, no order as to costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

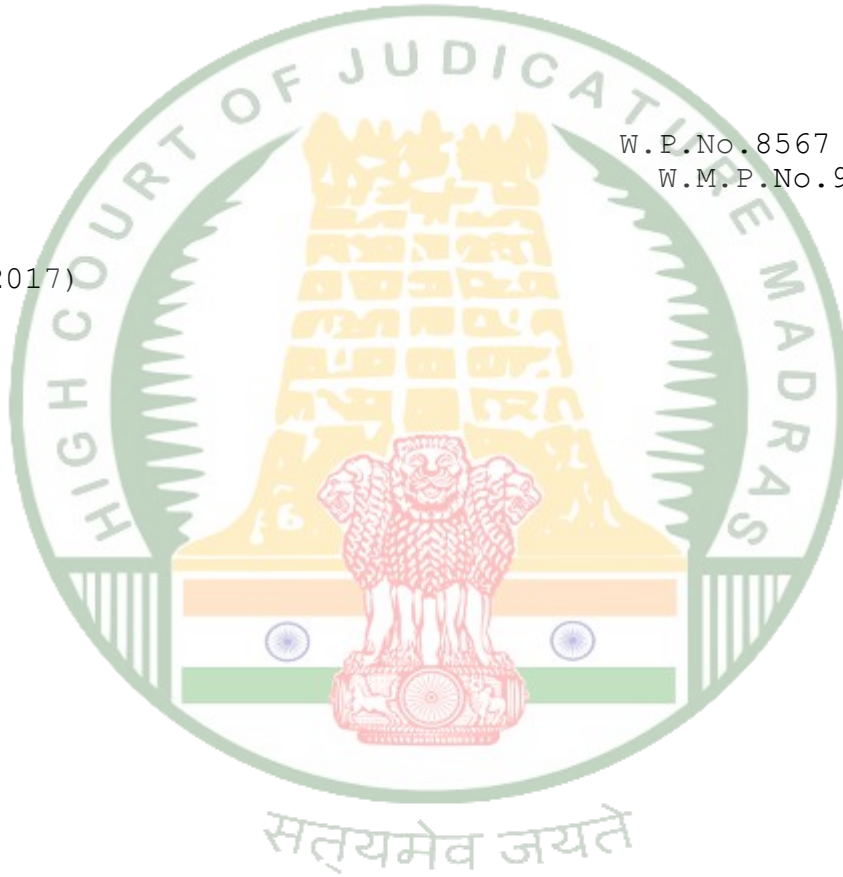
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Whole Sale Store, Thiruvannamalai,
Thiruvannamalai District.

+1 CC to Mr.L.P. Shanmugasundaram, Advocate sr 48560
+1 CC to The Govt.Pleader sr 48800
+1 Cc to Mr.P. Sivamani, Advocate sr 48595

GMI (CO)
sp(02/08/2017)

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