

In the High Court of Judicature at Madras

Dated : 04.07.2017

Coram :

The Honourable Mr.Justice S.M.SUBRAMANIAM

W.P.No.11332 of 2017 &
W.M.P.No.12271 of 2017

R.Paranthaman

...Petitioner

Vs

1. The Joint Registrar of Co-op. Societies
Krishnagiri Region, Krishnagiri District.
2. The President
D.K.84, Varattanapalli Primary
Agricultural Co-op. Credit Society,
Varanttanapalli,
Krishnagiri Taluk & District.

3. N.V.Anandan

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to calling for the records relating to the impugned order dated 05.04.2017 issued by the 2nd respondent herein and quash the same and consequently direct the 1st and 2nd respondents to appoint afresh enquiry officer to conduct the domestic enquiry for the charge memos dated 14.03.2016, 31.03.2016, 24.04.2016, 17.05.2016, 10.02.2017 and 24.02.2017 by affording enough opportunity by recording the evidences along with cross examination of the witnesses of the management.

For Petitioner : Mr.T.Sundaravadanam

For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader for R1
Mr.M.S.Palanisamy for R2

ORDER

By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The order under challenge in this writ petition is an order of removal from service, passed by the President of Agricultural Co-operative Credit Society, Varattanapalli, Krishnagiri Taluk & District.

3. Heard the learned counsel for the writ petitioner and the Special Government Pleader for respondent No.1 and the learned counsel appearing for the respondent No.2.

4. Against the order passed by the Agricultural Co-operative Credit Society, Varattanapalli, Krishnagiri Taluk & District, a revisional remedy is contemplated under the Tamil Nadu Co-operative Societies Act. This apart the Co-operative Society is not a state within the meaning of Article 12 of the Constitution of India and, the legal principle was settled by the larger Bench of this Court in Marappan Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689.

5. In view of this the present writ petition is not maintainable, and accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Registrar of Co-op. Societies
Krishnagiri Region, Krishnagiri District.
2. The President
D.K.84, Varattanapalli Primary
Agricultural Co-op. Credit Society,
Varattanapalli,
Krishnagiri Taluk & District.

+1 cc to M/s.T.Sundaravadanam Advocate sr 46371
+1 cc to M/s.M.S.Palaniswamy Advocate sr 46408
+1 cc to the Government Pleader sr 46853
+1 cc to M/s.L.P.Shanmugasundaram Advocate sr 47068

Writ Petition No.11332 of 2017

rr(co)
aa02/08/2017