

In the High Court of Judicature at Madras

Dated : 04.07.2017

Coram :

The Honourable Mr.Justice S.M.SUBRAMANIAM

Writ Petition No.13999 of 2017 &
WMP. No.15211 of 2017

N. Baskaran,

...Petitioner

Vs

1. Secretary,
FC 2830 Cuddalore District Public
Health Employees Cooperative Society,
No.4 Appavu Street, Pudupalayam,
Cuddalore -607 001.
2. Block Medical Officer,
Block Primary Health Centre,
Meensurutti,
udayarpalayam Taluk,
Ariyalur District.
3. Senior Entomologist,
Zonal Entomological Team,
Beach Road,
Cuddalore -607 001

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus call for the records and quash the communication of the 1st respondent dated 18.03.2017 addressed to the 3rd respondent and consequently directing the 3rd respondent to disburse Rs.5,00,313/- or any amount due by 3rd respondent to the petitioner towards gratuity amount with interest at such rates.

For Petitioner :No Appearance

For Respondents:Mr.S.Gunasekaran for

Additional Government Pleader

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 issued by the Secretary of FC 2830 Cuddalore District Public Health Employees Cooperative Society.

3. Heard the learned counsel for the writ petitioner and the learned counsel appearing for the respondents.

4. Against the order passed by the Co-operative Society, remedies are available under the provisions of the Tamil Nadu Co-operative Societies Act, 1983.

5. This apart, no writ will lie against the order passed by the Co-operative Society, since the said society is not a state, within the meaning of Article 12 of the Constitution of India and the legal principle was decided by the larger bench of this Court in Marappan Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689. Following the same, the present writ petition is not maintainable and accordingly stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

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To

1. Secretary,
FC 2830 Cuddalore District Public
Health Employees Cooperative Society,
No.4 Appavu Street, Pudupalayam,
Cuddalore -607 001.

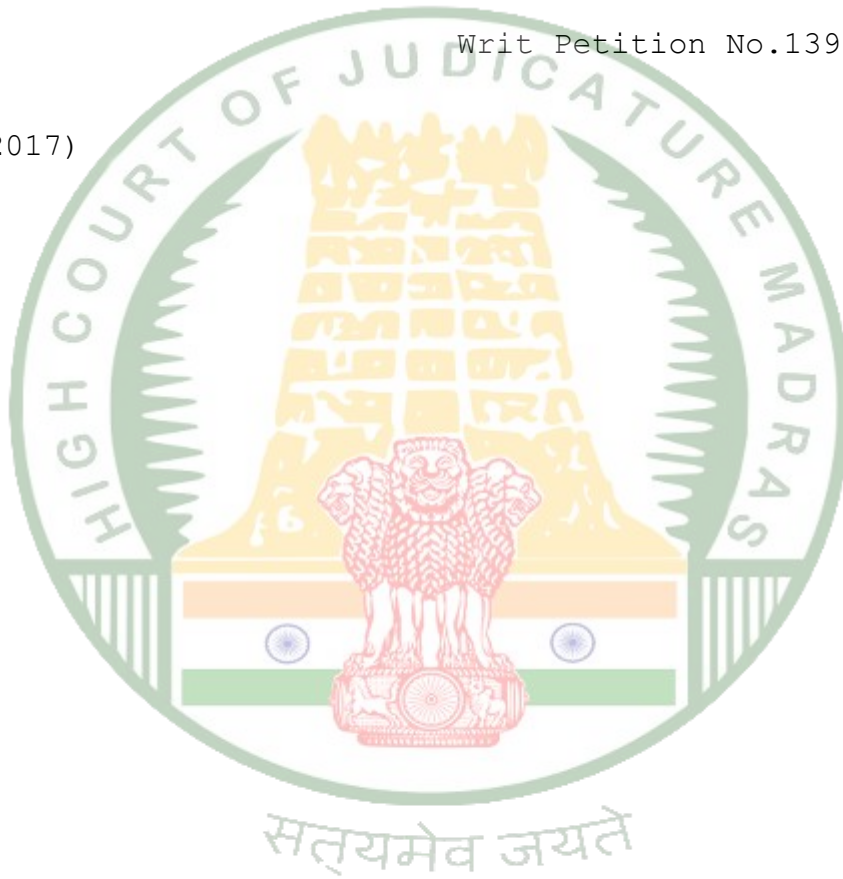
2. Block Medical Officer,
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+1 CC to Ms. R. Gururaj, Advocate sr 46704.
+1 CC to The Govt. Pleader sr 46914.

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GMI (CO)
SP(08/08/2017)



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