

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15182 of 2017 and
W.M.P.No.16453 of 2017

D.Anburose

.. Petitioner

vs.

- 1.The Joint Registrar of Cooperative Societies
Anna Cooperative Training Institute Campus
Opposite to Collectorate
Vandavasi Road, Kancheepuram,
Kancheepuram District.
- 2.The Deputy Registrar of Cooperative Societies
Kancheepuram Circle
Anna Coop. Training Institute Campus
Opposite to Collectorate,
Vandavasi Road
Kancheepuram,
Kancheepuram District.
- 3.The Managing Director
Sriperumbudur Taluk Agricultural Producers
Cooperative Marketing Society
Nazarathpet, Poonamallee Taluk
Tiruvallur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the entire records relating to the impugned order passed by the third respondent in his proceedings No.Nil, dated 13.06.2017 and quash the same.

For Petitioner : Mr.C.Prakasam

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

O R D E R

Mr.L.P.Shanmughasundaram, the learned Special Government Pleader takes notice on behalf of the respondents.

2.By consent, the writ petition itself is taken up for final disposal.

3.The order under challenge in this writ petition is a show-cause notice issued to the writ petitioner on 13.06.2017, directing the writ petitioner to submit his explanation within a period of seven days, with regard to certain allegations. Apart from the fact that the order impugned in this writ petition is just a show cause notice, the said notice was issued by a Cooperative Society, which is not a State within the meaning of Article 12 of the Constitution of India.

4.The writ petition is not maintainable on two grounds namely, it is against a show-cause notice and also against a Cooperative Society, which is a Society. In this regard, a larger Bench of this Court in K.Marappan and ors. Vs. The Deputy Registrar of Co-operative Societies reported in 2006 (4) CTC 689, held that no writ will lie against a Cooperative Society.

5. Hence, this court is not inclined to consider the other grounds raised in this writ petition. Accordingly, the writ petition stands dismissed. It is for the petitioner to approach the competent authorities under the provisions of the Tamil Nadu Co-operative Societies Act seeking appropriate remedy. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

dna/gpa

To

1. The Joint Registrar of Cooperative Societies
Anna Cooperative Training Institute Campus
Opposite to Collectorate
Vandavasi Road, Kancheepuram,
Kancheepuram District.
2. The Deputy Registrar of Cooperative Societies
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3. The Managing Director
Sriperumbudur Taluk Agricultural Producers
Cooperative Marketing Society
Nazarathpet, Poonamallee Taluk
Tiruvallur District.

+1cc to M/s.C.Prakasam, Advocate in sr.no.46710

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SS (CO)
NR 20/07/2017



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