

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2017

C O R A M

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.15586 OF 2017
and WMP.No.16886 of 2017

G. Srinivasan

... Petitioner

Versus

1. The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram District.
2. The Deputy Registrar of Cooperative Societies,
Tirukovilur Circle,
Villupuram District.
3. I.I.90 Anathur Primary Agricultural
Co-operative Credit Society,
Rep. by its President,
Anathur Post, Ulundurpettai Taluk,
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India pleased to issue a writ of mandamus forbear the respondents from proceed with the disciplinary enquiry against the petitioner pursuant to the charge memo dated issued by the 3rd respondent without furnishing the copies of the documents and payment of subsistence allowance requested by my letter dated 09.02.2017, 13.06.2017 and 14.06.2017.

For Petitioner

... Mr.C.K. Chandrasekaran

For Respondents

... Mr.L.P.Shanmugha Sundaram,
Spl.Govt. Pleader

ORDER

The relief sought for in this writ petition is against the third respondent, none other than the Co-operative Society.

2.The Co-operative Society is not a State within the meaning of Article 12 of the Constitution of India. This

apart, the grievances of the petitioner, with regard to the payment of subsistence allowance and the charge memo are to be redressed through the mechanism provided under the provisions of the Tamil Nadu Co-operative Societies Act. With regard to the maintainability of the writ petition against the Co-operative Societies, the larger Bench of this Court settled the legal principles in the case Marappan and others Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689.

3. In view of the precedent laid down by the larger Bench decision of this Court, the Writ Petition deserves no consideration and accordingly stands dismissed as not maintainable.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nl/rpa

To

1. The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram District.
2. The Deputy Registrar of Cooperative Societies,
Tirukovilur Circle,
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3. I.I.90 Anathur Primary Agricultural
Co-operative Credit Society,
Rep. by its President,
Anathur Post, Ulundurpettai Taluk,
Villupuram District.

+1cc to Mr.V.Ravichandran, Advocate, S.R.No.47456
+1cc to Mr.L.P.Shanmugha Sundaram, Advocate, S.R.No.47487
+1cc to the Government Pleader, S.R.No.47243

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RR(CO)
CS/26/07/17