IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 05.05.2017

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THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.30831 of 2003
and WMP.No.37580 of 2003

D.Arokya Sagaya Rani .. Petitioner

Versus

1.DRL[S] 10, Thiruparamkundram
Cooperative Primary Agriculture and
Rural Development Bank Ltd.,
Rep. by its Special Officer/Sub Registrar,
GST Road, Thiru Nagar,
Madurai - 625 006.

2.The Deputy Registrar of Cooperative Societies,
Madurai Region,
Madurai. .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, to call for the records of the respondent particularly that of the 1st respondent proceedings dated 28.2.2002 and quash the same as illegal, unlawful, without jurisdiction and against principles of natural justice and consequently forbear the respondents from in any manner initiating withholding the salary or recovering the proceedings against the petitioner based on the settlement dated 7.4.2001.

For Petitioner : Mr.S.Jayakumar

For Respondents : Mr.K.Dhananjayan
Special Government Pleader for R1

: Mr.L.P.Shanmugasundaram
Special Government Pleader for R2

O R D E R

This writ petition is filed seeking to quash the order dated 28.02.2002 issued by the Special Officer of Thiruparamkundram Cooperative Primary Agriculture and Rural Development Bank Limited.

2. On perusal of the impugned order, this Court is able to find that the said order was passed by the Special Officer under the provisions of the Co-operative Societies Act.

3. Co-operative Societies are not a State within the meaning of Article 12 of the Constitution of India and therefore, no writ petition is maintainable. The said legal principle was enunciated by the larger Bench of this Hon'ble Court in the case of **Marappan, K. v. The Deputy Registrar of Co-operative Societies, Namakkal** reported in **2006 (4) CTC 689.**

4. In view of the judgment of the larger Bench of this Court, the writ petition is dismissed as not maintainable. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

05.05.2017

Index:Yes/No
Internet:Yes/No
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To

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Cooperative Primary Agriculture and
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S.M.SUBRAMANIAM.J,

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