

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON 01/09/2017

PRONOUNCED ON 08/09/2017

CORAM

THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

W.P.No.2127 of 2003 &
W.P.M.P.No.2663 of 2003

R.Dhanasangu

... Petitioner

-Vs-

1. The Registrar of Co-op. Societies,
NVN Maligai Kilpauk, Chennai.
2. The Joint Registrar of Co-op. Societies,
Cuddalore.
3. The Deputy Registrar of Co-op. Societies,
Virudhachalam.
4. The Special Officer,
E 2605 Perur Primary Agricultural Co-op.
Bank Limited, Kattumannarkoil Taluk,
Cuddalore District.

.... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the order of the fourth respondent relating to proceedings dated 02.08.2002 reverting the Petitioner from the post of Secretary and quash the same.

For Petitioner : No appearance
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader
for R1 to R3
No appearance for R4

O R D E R

The Writ Petition challenges the order dated 02.08.2002 passed by the fourth respondent reverting the Petitioner from the Post of Secretary of E 2605 Perur Primary Agricultural Co-operative Bank Limited, Kattumannarkoil Taluk, Cuddalore

District.

2. The learned Special Government Pleader appearing for the respondents submits that the Petitioner has an effective alternative remedy by way of revision under Section 153 of the Tamil Nadu Co-operative Societies Act, 1961, before the Registrar / first respondent to challenge the impugned order, which has not been exhausted in this case. It is further contended by him, that in any event, in the light of the dictum laid down by the Full Bench of Five Judges of this Court in K.Marappan Vs. Deputy Registrar of Co-operative Societies [(2006) 4 CTC 689], a Writ Petition would not be maintainable against a Co-operative Society, as in this case. The aforesaid well founded submissions deserve acceptance and there is no explanation from the Petitioner either in his affidavit or otherwise justifying the invocation of the discretionary jurisdiction of this Court by way of Writ Petition under Article 226 of the Constitution.

3. In the aforesaid circumstances, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

r n s
To

- 1.The Registrar of Co-op. Societies,
NVN Maligai Kilpauk, Chennai.
- 2.The Joint Registrar of Co-op. Societies,
Cuddalore.
- 3.The Deputy Registrar of Co-op. Societies,
Virudhachalam.
- 4.The Special Officer,
E 2605 Perur Primary Agricultural Co-op.
Bank Limited, Kattumannarkoil Taluk,
Cuddalore District.

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CA(CO)
sp(06/10/2017)