

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.36285 of 2016

C.Jayabalan

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
Chennai - 600 010.
 2. The Joint Registrar of Co-operative Societies,
Krishnagiri.
 3. The Deputy Registrar of Co-operative Societies,
Krishnagiri.
 4. The President,
KK 252, Veeramalai Primary Agricultural Co-operative
Credit Society Ltd., Veeramalai,
Pochampalli Taluk, Krishnagiri District - 635 004.
- ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the fourth respondent relating to his order dated 03.09.2016 rejecting the claim of the petitioner for appointment on compassionate grounds consequent on the death of his father, Chinnasamy, on 25.03.2012 while on service quash the said order and issue consequential direction to the Respondent to give appointment to the petitioner on compassionate grounds.

For Petitioner : Mr.G.Punniakoti
For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader (Co-operatives)

ORDER

The order of rejection in respect of claim of the writ petitioner, seeking compassionate appointment was issued by the management of the Co-operative Society, more specifically, the President of the Co-operative Society. The order passed by the management of the Co-operative Society, cannot be challenged by way of the writ petition under Article 226 of the Constitution of India.

2.In view of the fact that the Co-operative Society registered under the provisions of the Tamil Nadu Co-operative Societies Act, is not a State within the meaning under Article 12 of the Constitution of India. The legal principles in this regard was settled by a larger

Bench of this Court in K.Marappan vs. Deputy Registrar of Co-Operative Societies, Namakkal Circle, Namakkal [(2006) 4 CTC 689 (FB)]. Thus, the writ petitioner has to exhaust the remedy available under the provisions of the Act.

3.In this view of the matter the present writ petition deserves no consideration on merits and accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

msm

To

1. The Registrar of Co-operative Societies,
Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies,
Krishnagiri.
3. The Deputy Registrar of Co-operative Societies,
Krishnagiri.
4. The President,
KK 252, Veeramalai Primary Agricultural Co-operative
Credit Society Ltd., Veeramalai,
Pochampalli Taluk, Krishnagiri District - 635 004.

+1 CC to Mr.L.P.Shanmugasundaram, Advocate SR.No.70771

+1 CC to Government Pleader SR.No.70820

+1 CC to Mr.G.Punniyakotti, SR.No.69741

CO-
ths : 28.10.2017

W.P.No.36285 of 2016