

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP.No.13627 of 2004

S.Mahalakshmi

...Petitioner

Versus

1. The Joint Registrar of Co-operative Societies
Tiruvarur,
Tiruvarur District.
2. The Deputy Registrar of Co-operative Societies,
Kasukara Chetty Street,
Mannargudi,
Tiruvarur District.
3. The Management of ZC87 Aariyalur Vadasanganthi
Primary Agricultural Co-operative Bank Ltd.,
rep. Its Special Officer
Aariyalur Post,
Tiruthuraipoondi Taluk,
Tiruvarur District - 614 702. ...Respondents

PRAYER: Writ petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus , directing the respondents to pay the petitioner the salary due to her, on par with other similarly situated employees employed in ZC.87 Aariyalur Vadasanganthi Primary Agricultural Co-operative Bank Ltd., Tiruthuraipoondi Taluk, Tiruvarur District.

For Petitioner : Mr.D.Balachandran

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader (co-operative)
for R1 & R2

: Mr.P.S.Sivashanmugasundram for R3

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to pay the writ petitioner the salary due to her, on par with other similarly situated employees employed in ZC.87, Aariyalur Vadasanganthi Primary Agricultural Co-operative Bank Ltd., Tiruthuraipoondi Taluk, Tiruvarur District.

2. The writ petitioner was employed in a Co-operative Bank, registered under the Tamil Nadu Co-operative Societies Act. The grievances sought to be redressed in this writ petition is relating to the service conditions of a Co-operative Society registered under the Tamil Nadu Co-operative Societies Act. The Co-operative Society is not a State within the meaning of Article 12 of the Constitution of India and no writ can be entertained against a Co-operative Society, in view of the legal principles settled by the larger Bench of this Honourable Court, in the case of K.Marappan vs. Deputy Registrar of Co-Operative Societies, Namakkal Circle, Namakkal [(2006) 4 CTC 689 (FB)]. The remedy lies before the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act. Thus, the petitioner is at liberty to approach the competent authority under the Act for the redressal of her grievances.

3. Accordingly, this Court is not inclined to consider the merits and the grounds raised in this writ petition. Thus, the writ petition stands dismissed as not maintainable.

Sd/-
Assistant Registrar

/true copy/

Sub Assistant Registrar

msrm/svn

To

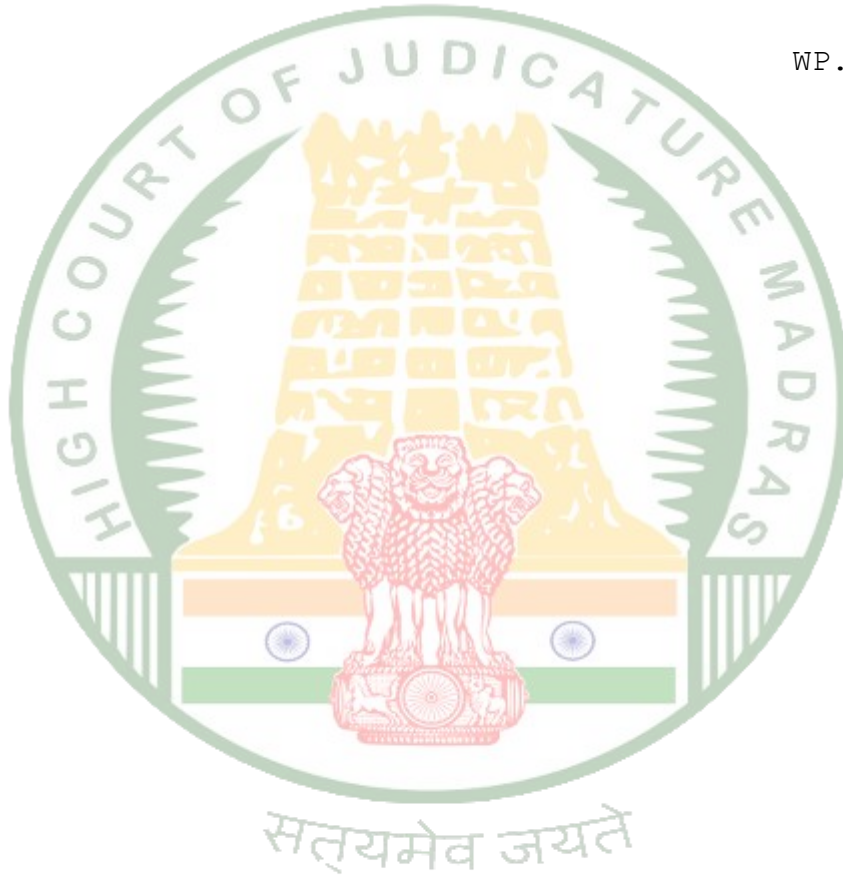
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1 cc to M/s.D. Balachandran, Advocate, Sr. 74316

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