

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.41881 of 2016
and
W.M.P.No.25345 of 2017

D.Anburose

... Petitioner

Vs.

- 1.The Joint Registrar of Co-operative Societies,
Anna Co-operative Training Institute Campus,
Opposite to Collectorate,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
- 2.The Deputy Registrar of Co-operative Societies,
Kancheepuram Circle,
Anna Coop. Training Institute Campus,
Opposite to Collectorate, Vandavasi Road,
Kancheepuram,
Kancheepuram District.
- 3.The Managing Director,
Sriperumbudur Taluk Agricultural Producers,
Cooperative Marketing Society,
Nazarathpet, Poonamallee Taluk,
Tiruvallur District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 12.09.2016 within a stipulated time as this Court.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Shanmugasundaram
Special Government Pleader

* * * * *

O R D E R

Heard Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents.

2.The relief sought for in this writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner on 12.09.2016 and pass orders.

3.The learned counsel appearing for the petitioner states that the writ petitioner is working as a Salesman in the Sriperumbudur Taluk Agricultural Producers Co-operative Marketing Society, Nazarathpet, Chennai - 600 123. The claim of the writ petitioner is relating to the regularization of his service.

4.The writ petitioner is an employee of the Co-operative Society has to exhaust the remedy available under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. Co-operative Society is not a state within the meaning of the Article 12 of the Constitution of India and the legal principles in this regard was settled by the Larger Bench of this Court in the case of Marappan and others Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689.

5. Thus, the remedy for the writ petitioner lies before the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act and it is left open to the writ petitioner to file an appropriate petition before the competent authorities. However, the writ petition against the Co-operative Societies cannot be entertained.

6.Accordingly, the writ petition stands dismissed as not maintainable. However, there is no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ah/smn

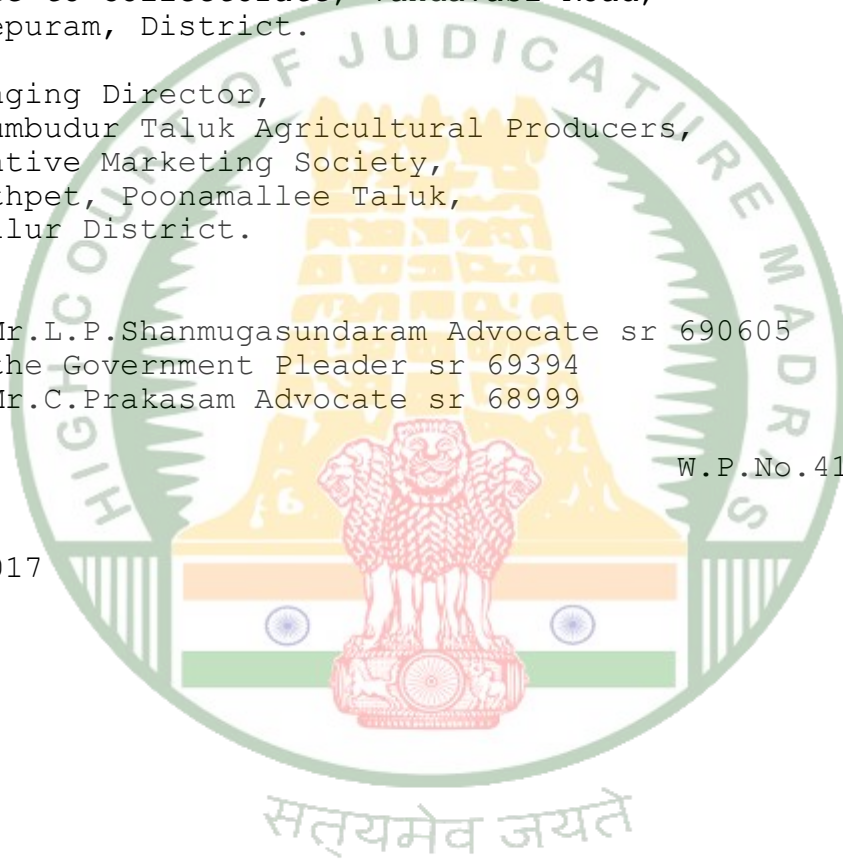
To

- 1.The Joint Registrar of Co-operative Societies,
Anna Co-operative Training Institute Campus,
Opposite to Collectorate,
Vandavasi Road, Kancheepuram,
Kancheepuram District.
- 2.The Deputy Registrar of Co-operative Societies,
Kancheepuram Circle,
Anna Coop. Training Institute Campus,
Opposite to Collectorate, Vandavasi Road,
Kancheepuram, District.
- 3.The Managing Director,
Sriperumbudur Taluk Agricultural Producers,
Cooperative Marketing Society,
Nazarathpet, Poonamallee Taluk,
Tiruvallur District.

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr 690605
+1 cc to the Government Pleader sr 69394
+1 cc to Mr.C.Prakasam Advocate sr 68999

W.P.No.41881 of 2016

aa13/10/2017



WEB COPY