

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.8444 of 2016 &

WMP Nos.7491 & 7492 of 2016

R.Rajendran

[PETITIONER]

Vs

1 The President

I.I. 603 V.Saththamangalam Primary
Agricultural Co.Operative Credit Society
V. Saththamangalam, Virudhachalam Taluk
Cuddalore District

2 The Secretary

I.I. 603 V.Saththamangalam Primary
Agricultural Co.Operative Credit Society
V.Saththamangalam, Virudhachalam Taluk
Cuddalore District.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorari, to call for the records relating to the proceedings of the 1st respondent dated 18.02.2016 and quash the same.

For Petitioner : Mr.D.Balachandran

For Respondents :Mr.L.P.Shanmuga Sundaram

Spl. Govt.Pleader

O R D E R

The petitioner has come forward with this Writ Petition challenging the order passed by the President of the Co-Operative Society dated 18.02.2016.

2.Co-operative Society is not a State within the meaning of Article 12 of the Constitution of India. Accordingly, no writ will lie against the actions initiated by the Co-Operative Society. The said legal principle has already been decided by the Larger Bench of this Court in Marappan and others Vs. Deputy Registrar of Co-Operative Societies, Namakkal [2006 (4) CTC 689].

3.Thus, it is left open to the writ petitioner to approach the competent authorities under section 153 of the Tamil Nadu Co-Operative Societies Act, to redress his grievances. In view of the fact that a mechanism is provided under the Tamil Nadu Co-operative Societies Act to redress the grievances of their employees and in view of the Larger Bench decision of this Court, no writ can be issued by exercising the power under Article 226 of the Constitution of India. Thus, this Court is not inclined to consider the issues raised in the Writ Petition.

4.Accordingly, the Writ Petition stands dismissed as not maintainable and it is left open to the writ petitioner to approach the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act to redress his grievances. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1 The President
I.I. 603 V.Saththamangalam Primary
Agricultural Co.Operative Credit Society
V. Saththamangalam, Virudhachalam Taluk
Cuddalore District
- 2 The Secretary
I.I. 603 V.Saththamangalam Primary
Agricultural Co.Operative Credit Society
V.Saththamangalam, Virudhachalam Taluk
Cuddalore District.

+1cc to Mr.D.Balachandran, Advocate SR.No.66526

+1cc to Mr.G.Shanmuga sundaram, Advocate SR.No.66153

+1cc to Government Pleader SR.No.66446

W.P. No.8444 of 2016

SDR 06.10.2017