

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16441 of 2004
and
W.P.M.P.No.19426 of 2004

N.Sivalingam

...Petitioner

-Vs-

1. The Deputy Registrar of Co-operative Societies (Diary),
Tiruvannamalai.

2. The Special Officer,
TPD 1300 Sellankuppam Milk
Producers Co-operative Society,
Sellankuppam & PO,
Tiruvannamalai District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the order passed by the second respondent in No. Nil, dated 24.05.2004 and quash the same.

For Petitioner : Mr.S.Mani

For Respondents : Mr.L.P.Shanmuga Sundaram,
Special Government Pleader
(Co-op) for R1

Mr.S.Mohanasundarajan
for R2.

O R D E R

The present writ petition is filed challenging the order of suspension issued by the second respondent, who is the Special Officer of Sellankuppam Milk Producers Co-operative Society.

2.In fact, the order of suspension issued by the Special Officer of Co-operative Society cannot be challenged by way of writ petition under Article 226 of the Constitution of India since the Co-operative Society is not a State within the meaning of Article 12 of the Constitution of India. The Larger Bench of this Hon'ble Court reiterated the above legal principles in K.Marappan v. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another (2006 (4) CTC 689).

3.In view of the authoritative pronouncement of the Larger Bench of this Hon'ble Court, the present writ petition is not maintainable and accordingly, stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cla

To

1. The Deputy Registrar of Co-operative Societies (Diary), Tiruvannamalai.

सत्यमेव जयते

W.P.No.16441 of 2004

SKV (CO)
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