

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16994 of 2004

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W.P.M.P.No.20148 of 2004

Tamil Nadu Co.operative Primary
Land Development Bank,
Employees Association,
Reg.No.209/TAJ
Rep.by its Joint Secretary A.Muthuraman,
Parvana Illam,
Kattabomman Junction,
Meenakshipuram,
Nagercoil, Kanyakumari District. Petitioner

- Vs -

1. The Deputy Registrar of Co.op.Societies,
Thuckalay Circle,
Thuckalay, Kanyakumari District.
2. The Special Officer,
Thuckalay Co-operative Primary
Agricultural and Rural Development
Bank Ltd., Thuckalay
Kanyakumari District. Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying to issue Writ of Certiorari,
calling for the entire records of the impugned order passed by
2nd respondent in his proceedings No.Nil, dated 20.05.2004 and
quash the same.

For Petitioners : Mr.Prakasam

For 1st Respondent : Mr.L.P.Shanmuga Sundaram

For 2nd Respondent : Mr.A.S.Thambusamy

O R D E R

According to the petitioner, he is working as Joint Secretary in the 2nd respondent society. The 3rd respondent in order to arrive settlement under Section 12(3) the Industrial Disputes Act, the pay scale of the petitioner society fixed time to time and the petitioner received the salary from the 2nd respondent from 01.07.1997. The 3rd respondent has passed the impugned order whereby reduced the salary and regulating the salary as per G.O.Ms.No.186 Co-op. Dated 16.08.2000.

2. The learned counsel for the petitioner would submit that the Special Officer, based on the impugned order without giving any opportunity to the petitioner and behind his back the impugned order was passed. Hence, on that ground he has filed the present writ petition.

3. Admittedly, there is adjudicatory mechanism available under the Co-operative Societies Act. Any order passed by the Special Officer the appeal remedy is available in the Co-operative Societies Act itself. Without approaching the alternative appeal remedy available, the petitioner has approached this Court under Article 226 not maintainable. Hence, this writ petition is dismissed and the petitioner to workout the remedy before appropriate Forum. Connected WPMP is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssn

To

1.The Deputy Registrar of Co.op.Societies,
Thuckalay Circle,
Thuckalay, Kanyakumari District.

2.The Special Officer,
Thuckalay Co-operative Primary
Agricultural and Rural Development Bank Ltd.,
Thuckalay
Kanyakumari District.

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GP(CO)
CA(08/08/2017)