

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17665 of 2004

P.Ramesh

...

Petitioner

- Vs -

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai-10.
2. The Deputy Registrar of Co-operative Societies,
Kumbakonam Circle,
Tanjavur District.
3. The Special Officer,
Z-314, Devarayanpettai Primary
Agricultural Co-operative Bank Ltd.,
Ponmanmaintha Nallur,
Papanasam Taluk,
Tanjavur 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 relating to the impugned order passed by the 3rd respondent in his proceedings Na.Ka.No.Nil, dated 05.06.2004, and quash the same.

For Petitioners : Mr.Prakasam

For Respondents 1 & 2 : Mr.L.P.Shanmuga Sundaram

For 3rd Respondent : Mr.Gomathinayagam

ORDER

According to the petitioner, he is working as Secretary in the 3rd respondent society. The 3rd respondent in order to arrive 12(3) settlement of Industrial Disputes Act, the pay scale of the petitioner society fixed time to time and the petitioner received the salary from the 3rd 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.131 dated 04.06.1999.

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 itself. Any order passed by the Special Officer the appeal remedy is available in the Co-operative Societies Act. 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.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai-10.
2. The Deputy Registrar of Co-operative Societies,
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Tanjavur District.
3. The Special Officer,
Z-314, Devarayanpettai Primary
Agricultural Co-operative Bank Ltd.,
Ponmanmaintha Nallur,
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Tanjavur District.

+1cc to the Government Pleader, S.R.No.48090

W.P.No.17665 of 2004

RJ(CO)
CS/11/08/17