

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27994 of 2003

K.Ramesh

... Petitioner

Vs.

1. The Registrar of Co-Operative Societies,
N.V.N.Maligai, Kilpauk,
Chennai-10.
2. The Special Officer,
C.2158, Periyakammampattu Primary
Agricultural Co-op. Bank Ltd,
Periyakammampattu,
Reddiyur (Post),
Jolarpet (Via), Vellore District. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the dismissal order dated 19.03.2002 issued by the second respondent and quash the same in so far as the petitioner is concerned and direct the respondents to regularise the services of the petitioner in terms of G.O.(D)No.86 Co-operation dated 12.03.2001.

For Petitioner : Mr.M.Prem kumar

For Respondents : Mrs.K.Bhuvaneswari for R1,
Government Advocate.

Mr.P.K.Shivakumar for R2,
for Mr.M.S. Palaniswamy.

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the dismissal order dated 19.03.2002 issued by the second respondent and quash the same in so far as the petitioner is concerned and

direct the respondents to regularise the services of the petitioner in terms of G.O.(D)No.86 Co-operation dated 12.03.2001.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for first respondent and the learned counsel appearing for the second respondent.

3. The case of the petitioner is that the petitioner was terminated from the service based on the Registrar of Co-operative Societies/first respondent's Circular dated 04.09.2001. Following the directions issued by the first respondent, the second respondent/ Special Officer, terminated the service of the petitioner from 19.03.2002 on the ground that the petitioner was appointed by the Ex-President without consulting the Employment Exchange and as per the Circular of the first respondent, his services were terminated from the second respondent Society.

4. Law is settled that the second respondent is not coming under the purview of the State. In view of the full bench Judgment of this Court reported in reported in 2006 (4) CTC 689 (K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal), writ petition against Special Officer is not maintainable. However, it is open to the petitioner to work out his remedy in the manner known to law. Accordingly, the writ petition is closed. No Costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Registrar of Co-Operative Societies,
N.V.N.Maligai, Kilpauk,
Chennai-10.
2. The Special Officer,
C.2158, Periyakammampattu Primary
Agricultural Co-op. Bank Ltd,
Periyakammampattu,
Reddiyur(Post),
Jolarpet(Via), Vellore District.

W.P.No.27994 of 2003

ss(5/10/2017)