

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.12.2018

CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.12885 of 2004

S.Ramalinam

..Petitioner

vs

1.The Joint Registrar of
Co-operative Societies,
Cuddalore Region,
Cuddalore District.

2.The Special Officer,
E-2655, Aadur Kuppm,
Primary Agricultural Co-operative Bank Ltd.,
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari to
call for the records of the second respondent in its proceeding
R.C.No.3/2002/O.Na dated 24.10.2002 and quash the same.

For Petitioner : Mr.K.Raja

For RR1 : Ms.T.Girija, GA, (Co -op)

For RR2 : Mr.D.Nandakumar

O R D E R

The writ petitioner was placed under suspension on account
of the initiation of the disciplinary proceeding based on the
allegations. The order of suspension was issued by the Special
Officer of the Co-operative Society. Therefore a revision has
to be preferred only before the competent authority under the
provisions of the Tamilnadu Co-operative Societies Act.

2. No writ petition can be entertained against the orders
passed by the Special officer/ Management of the Co-operative
Society registered under the provisions of the Tamilnadu Co-
operative Societies Act. The Co-operative Societies registered
under the Tamilnadu Co-operative Societies Act is not a state
within the meaning of Article 12 of the Constitution of India.
Thus, the remedy to the employees of the Co-operative Societies
lies before the competent authorities under the provisions of

the Act itself. The Tamil Nadu Co-operative Societies Act is a comprehensive legislation and a revision is provided under section 153 of the Act. The powers of the Registrar under the Act has been delegated to the Regional Joint Registrars who are empowered to entertain the revision against the orders passed by the Special Officer/Management of the Co-operative Society. Thus, the present writ petition is not maintainable. The legal principles in this regard are settled by the Larger Bench of this Court in the matter of [K.Marappan Vs. Deputy Registrar, Co-operative Societies and another] reported in 2006 (4) CTC 689. The writ petitioner is at liberty to approach the competent authority under the provisions of the Act. In the event of any such representation being made, the authorities may pass orders on merits and in accordance with law.

3. Accordingly, the writ petition stands dismissed as not maintainable. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Joint Registrar of
Co-operative Societies,
Cuddalore Region,
Cuddalore District.
2. The Special Officer,
E-2655, Aadur Kuppan,
Primary Agricultural Co-operative Bank Ltd.,
Cuddalore District.

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KK(CO)

rrs 25/01/2019

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