

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.3743 of 2015

M.E.Mani

..Petitioner

vs

The President,
Mugayur Primary Agricultural Co-operative
Loan Society, G-1815,
Mugayur, Kancheepuram District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to dispose within a time frame work the disciplinary proceedings initiated against the petitioner Vide Charge Memo dated 18.09.2014 issued by the respondent herein.

For Petitioner : Mr.K.Thilagaraj

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Advocate
(Co-operatives)

O R D E R

The relief sought for in this writ petition is for a direction to dispose of the disciplinary proceedings initiated against the petitioner Vide Charge Memo dated 18.09.2014 issued by the respondent.

2. The writ petitioner was worked as Office Assistant under the respondent / Cooperative Society, which is registered under the provisions of the Tamil Nadu Cooperative Societies Act.

3. The grievances of the writ petitioner is that in respect of the charge memo, he was placed under suspension and subsistence allowance as applicable has not paid to him. However, the facts remains that the writ petitioner is an employee of the Cooperative Society, which is registered under

the provisions of the Tamil Nadu Cooperative Societies Act. The Cooperative Society is not a State within the meaning of Article 12 of the Constitution of India. In respect of the employee of the Cooperative Society, the alternate remedy of revision is to be exhausted, which is provided under the Tamil Nadu Cooperative Societies Act.

4. The legal principles in this regard are settled by the Larger Bench of this Court in the case of K.Marappan Vs. The Deputy Registrar of Co-operative Societies and another reported in 2006 (4) CTC 689

5. Thus, the writ petitioner is at liberty to approach the competent authority under the provisions of the Act for the redressal of his grievances. Accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.
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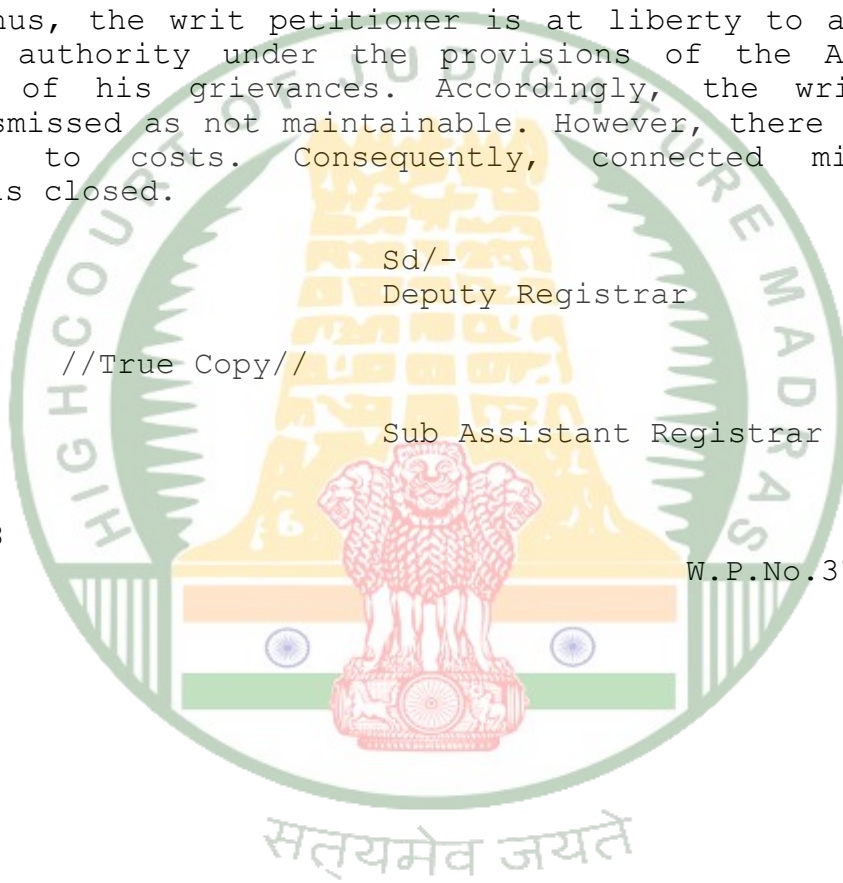
Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

KR/2/11/18

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