

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.06.2018

CORAM

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

W.P.No.20237 of 2016

and

W.M.P.No.17411 of 2016

K.Jayachandran

..Petitioner

vs

1.The Registrar of Co-operative Societies,
Chennai - 600 010.

2.The Joint Registrar of Co-operative Societies,
Salem - 636 001.

3.The Deputy Registrar of Co-operative Societies,
Omalar, Salem District - 636 455.

4.The President,
S.296, Mookanur Primary Agricultural
Co-operative Credit Society Limited,
Mookanur Post, Kadayampatti Taluk,
Salem District - 636 351.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th Respondent relating to his order dated 22.04.2016, to quash the same and to issue consequential directions to the Respondents to regularize the services of the petitioner as Jewels Appraiser and absorb him in regular time scale of pay post.

For Petitioner :M/s.G.Punniyakotti

For Respondent :Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co-operatives)
for R1 to R3
M/s.Sreedharan for R4

O R D E R

The relief sought for in the present writ petition is to call for the records in relation to the orders passed by the 4th respondent in proceedings dated 22.04.2016.

2. Admittedly, the impugned notice dated 22.04.2016 was issued by the President of the 4th respondent Co-operative Society. Co-operative Society is not a "State" within the meaning of Article 12 of the Constitution of India. Any order passed by the management of the Co-operative Society, the aggrieved person has to exhaust the remedy available under the provisions of the Tamil Nadu Cooperative Societies Act, 1983. The legal principles in this regard are settled by the Larger Bench of this Court in the case of Marappan and others Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689. Thus, it is left open to the writ petitioner to approach the competent authorities under the provisions of the Tamil Nadu Cooperative Societies Act, for the redressal of his grievances.

3. Accordingly, the writ petition stands dismissed as non-maintainable. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Registrar of Co-operative Societies,
Chennai - 600 010.

2. The Joint Registrar of Co-operative Societies,
Salem - 636 001.

3. The Deputy Registrar of Co-operative Societies,
Omalar, Salem District - 636 455.

+1cc to Mr.G.Punniyakotti, Advocate Sr.36936

W.P.No.20237 of 2016

srg 25/06/2018