

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 31-10-2018

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.420 of 2014
and
M.P.Nos.3 of 2014

P.Soundaram

.. Petitioner

..Vs..

- 1.The Chairman/Joint Registrar
District Recruitment Bureau,
Office of the Joint Registrar of
Co-operative Societies,
377, Kamarajar Salai,
Palladam Road,
Tiruppur-641 604.
- 2.The Secretary/Deputy Registrar,
(Public Distribution)
Office of the Joint Registrar of
Co-operative Societies,
377, Kamarajar Salai,
Palladam Road,
Tiruppur-641 604.
- 3.Member (Tiruppur Circle Deputy Registrar)
District Recruitment Bureau,
Office of the Joint Registrar of
Co-operative Societies,
377, Kamarajar Salai,
Palladam Road,
Tiruppur-641 604.
- 4.Mr.Jayaraman,
Co-operative Sub Registrar,
(Public Distribution)
Tiruppur Block,
Office of the Deputy Registrar PDS
Tiruppur.
- 5.Mr.Premnath,
(B-Superintendent)
Office of the Joint Registrar,
Tiruppur.

6.AA217, Vellakovil Primary Agricultural
Co-operative Credit Society,
Represented by its President
Muthu Road,
Vellakovil,
Kangeyam (Taluk)
Tirupppur District,
Pincode-638 111.

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the 1st respondent to allow the petitioner to participate in the selection process initiated for the recruitment of sales persons for the Co-operative Societies registered under the Tamil Nadu Co-operative Societies Act 1983 in the Tiruppur District by giving the benefit of age relaxation as contemplated in Rule 9 of byelaws of the 6th respondent society and also give weight to the experience gained by the petitioner as sales person in the 6th respondent society since 01.10.2006.

For Petitioner : Mr.Mohd.Nazrullah

For Respondents-1to5 : M/s.T.Girija
Government Advocate

For Respondent-6 : Mr.R.Krishnamoorthy

O R D E R

The relief sought for in the present writ petition is for a direction to direct the first respondent to allow the petitioner to participate in the selection process initiated for the recruitment of sales persons for the Co-operative Societies registered under the Tamil Nadu Co-operative Societies Act 1983 in the Tiruppur District by giving the benefit of age relaxation as contemplated in Rule 9 of byelaws of the 6th respondent society and also give weight to the experience gained by the petitioner as sales person in the sixth respondent-Society since 01.10.2006.

2. The learned counsel, appearing on behalf of the writ petitioner, articulated the facts and circumstances aroused for filing of the present writ petition by the writ petitioner. The writ petitioner states that she was prevented from participating in the selection process despite the fact that she was the employee in the sixth respondent-Society for a long period.

3. This Court is of an opinion that no writ petition can be entertained against the Co-operative Societies, which is

registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. The Co-operative Societies registered under the said Act are not a State within the meaning of Article 12 of the Constitution of India.

4. The grievances of the employees of the Co-operative Societies are to be redressed by approaching the Competent Authorities under the provisions of the Act. Section 153 of the Tamil Nadu Co-operative Societies Act, 1983 provides revision before the Registrar. The Registrar has already delegated the powers to the Joint Registrar concerned, who in turn exercise the powers of the Revisional Authority. Thus, the writ petitioner has to approach the Revisional Authority under Section 153 of the Tamil Nadu Co-operative societies Act, 1983 for redressing her grievances in the manner known to law.

5. The legal principles in the matter of maintainability of the writ petition has been settled by the larger Bench of this Court in the case of K.Marappan vs. Deputy Registrar of Co-Operative Societies, Namakkal Circle, Namakkal [(2006) 4 CTC 689 (FB)].

6. Thus the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Svn/vji

To

1.The Chairman/Joint Registrar
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2.The Secretary/Deputy Registrar,
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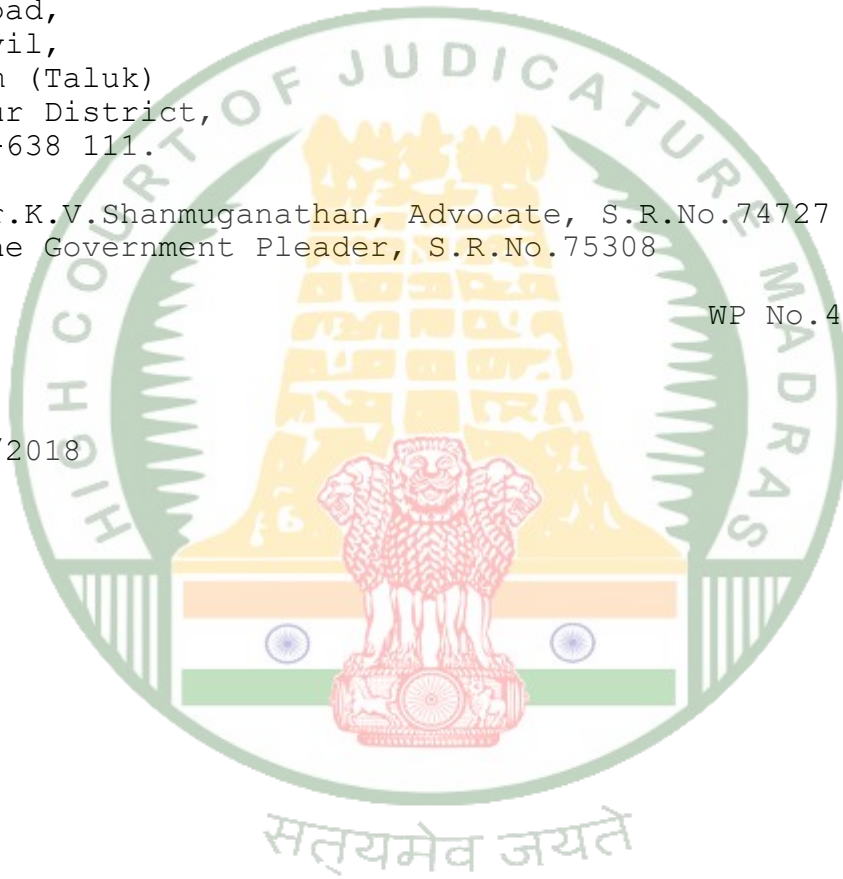
4.The President
AA217, Vellakovil Primary Agricultural
Co-operative Credit Society,
Muthu Road,
Vellakovil,
Kangeyam (Taluk)
Tiruppur District,
Pincode-638 111.

+1cc to Mr.K.V.Shanmuganathan, Advocate, S.R.No.74727
+1cc to the Government Pleader, S.R.No.75308

WP No.420 of 2014

BS (CO)

rrs 23/11/2018



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