



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 10.09.2018

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.1121 of 2015

R.Selvaraj

..Petitioner

Vs

1.The Joint Registrar of Cooperative Societies,
Joint Registrar Office,
Pudukkottai.

2.The Deputy Registrar of Cooperaive Societies,
Deputy Registrar Office,
Aranthangi,
Pudukkottai District.

3.The President,
T.1150 Kothamangalam Primary Agricultural
Cooperative Credit Society Limited,
Kothamangala,
Alangudi Taluk,
Pudukkottai District.

..Respondents.

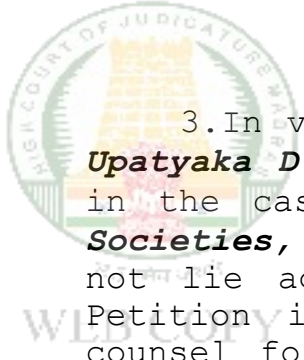
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned communication issued by the third respondent dated 22.11.2014 insofar as payment of gratuity, provident fund and other benefits to the Petitioner and to quash the same and consequently to direct the respondents to give the retirement benefits to the Petitioner.

For Petitioner :Mr.R.Boomirajan

For Respondents :Mr.S.Dhayalan
1 and 2 Government Advocate

For Respondent-3 :Mr.P.Chandra Bose
ORDER

The Petitioner has come forward with this Writ Petition seeking to quash the impugned communication issued by the third respondent, dated 22.11.2014 insofar as payment of gratuity, provident fund and other benefits to the Petitioner and consequently direct the respondents to give the retirement benefits to the Petitioner.



3. In view of the dictum laid down in **State of Assam .vs. Barak Upatyaka D.U.Karmachari Sanstha reported in 2009-IV/LLJ-279(SC)** and in the case of **Marappan .s. The Deputy Registrar of Cooperative Societies, Namakkal reported on 2006(4) CTC 689**, Writ Petition will not lie against the Cooperative Societies and as such the Writ Petition is not maintainable. It is represented by the learned counsel for the Petitioner that the Petitioner has approached the authorities concerned under the Payment of Gratuity Act for necessary relief and the same is pending.

4. Accordingly, the Writ Petition is dismissed. This dismissal order will not preclude the Petitioner for agitating the remedy before the appropriate forum in the manner known to law. No costs.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Joint Registrar of Cooperative Societies,
Joint Registrar Office,
Pudukkottai.

2. The Deputy Registrar of Cooperaive Societies,
Deputy Registrar Office,
Aranthangi,
Pudukkottai District.

3. The President,
T.1150 Kothamangalam Primary Agricultural
Cooperative Credit Society Limited,
Kothamangala,
Alangudi Taluk,
Pudukkottai District.

- 1 CC TO Mr.P.R.BOOMIRAJAN , ADVOCATE IN SR No.83910.
- + 1 CC TO Mr.P.Chandra Bose , ADVOCATE IN SR No. 83613.
- +1 cc to Special Government Pleader, SR.No.84067

VSN

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