



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.10215 of 2011

WEB COPY

M.Muniyasamy

... Petitioner

Vs.

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

2. The Special Officer,
0.1020 Tuticorin Co-operative Stores Ltd.,
No.3, Links Street, Chidampara Nagar,
Thoothukudi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining the proceedings of the 2nd respondent dated 22.07.2011 and quash the same consequently directing the 2nd respondent to reinstate the petitioner.

For Petitioner : Mr.S.M.Mohan Gandhi

For R1 : Mr.M.Muthu
Additional Government Pleader.

O R D E R

The order passed by the second respondent dated 22.07.2011 is under challenge in this writ petition.

2.The impugned order dated 22.07.2011 issued by the Special Officer of Co-operative Societies, Thoothukudi, states that the enquiry report submitted by the enquiry officer on 14.03.2011 is cancelled. The cancellation of enquiry report was done by the Special Officer, who is the Disciplinary Authority, Co-operative Societies registered under the provisions of the Tamil Nadu Co-operative Societies Act, within the meaning of under Article 12 of the Constitution of India. The remedy lies to the employees of the Co-operative Societies under the provisions of the Tamil Nadu Co-operative Societies Act. The legal principles in this regard are settled by the Hon'ble Division Bench of this Court in the case of **Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal** reported in **2006 (4) CTC 689**. Thus, the writ petitioner has to approach the competent authority under the provisions of Tamil Nadu Co-operative Societies Act, more specifically, by way of a revision petition. The writ petitioner



is at liberty to approach the appropriate authorities in the manner known to law.

3. In this view of the matter no further adjudication is required in this writ petition. Accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Joint Registrar of Co-operative Societies,
Thoothukudi Region,
Thoothukudi.

+1cc to Spl. Government Pleader Sr.No.47284

MM

VB/SKN/RSK/SAR4/22.02.2018/2P/3C

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