



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.20516 of 2013

C.Singaraj

... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
72/36, Sarangapani Sannathi Street,
Kumbakonam - 612 001,
Thanjavur District.

2.The President,
Chandrasekarapuram Co-operative Wholesale Stores,
Singaram Street,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records relating to the proceedings of the first respondent dated 31.05.2013 and quash the same.

For Petitioner	: M/s.R.Govindarajan
For R1	: Mr.R.Sethuraman Special Government Pleader
For R2	: No appearance

ORDER

The relief sought for in this writ petition is to call for the records in relation to the order issued by the first respondent in proceedings

dated 31.05.2013, relieving the writ petitioner from service with effect from 31.05.2013.

2.Admittedly, the impugned order passed by the first respondent / The Deputy Registrar of Co-operative Societies, Kumbakonam, Thanjavur District, Co-Operative Society, which is registered under the provisions of the Tamil Nadu Co-Operative Societies Act, 1983 and is not a "State" within the meaning of the Article 12 of the Constitution of India.

3. Thus, no writ can be entertained against the order passed by the Co-operative Societies, so also a direction be issued against the Societies. The legal principles in this regard was 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.

4. Thus, the remedy lies before the competent authority under the Provision of the Tamil Nadu Co-operative Society Act. The petitioner is at liberty to avail the remedy under Section 153 of the Tamil Nadu Co-operative Society Act before the competent authority.

5. Accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Deputy Registrar of Co-operative Societies,
72/36, Sarangapani Sannathi Street,
Kumbakonam - 612 001,
Thanjavur District.

Copy to:

The Sub Assistant Registrar(Writs)
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.K.Govindarasjan, Advocate, SR.No. 50645
+1CC to the Special Government Pleader SR.No.50574

W.P(MD)No.20516 of 2013
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mm

AM/JC/SAR 2/28.03.2018/2P/5C