



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM

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

W.P. (MD) No.3686 of 2013

A.Govindarajan

... Petitioner

-vs-

1.The Registrar of Cooperative Societies,
Kilpauk, Chennai.

2.The Joint Registrar of Cooperative Societies,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the Petitioner, dated 28.9.2012.

For Petitioner : M/s.E.Udhaya

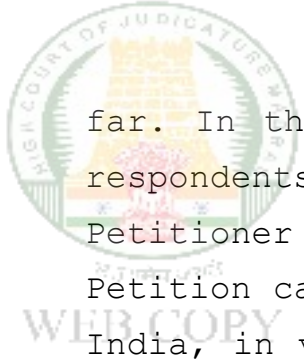
For Respondents : Mr.M.Muthu
1 and 2 Additional Government Pleader

O R D E R

The relief sought for in this Writ Petition is for a direction to direct the respondents to consider the representation of the Petitioner, dated 28.09.2012.

2.The Writ Petitioner was an employee of T.785, The Kumbakonam Cooperative Primary Agriculture and Rural Development Bank Limited. On medical grounds, the Petitioner was allowed to retire from service on 30.4.2004. The Petitioner on the date of retirement was holding the post of Supervisor, Special Grade.

3.The grievance of the Petitioner is that the terminal and pensionary benefits due to the Petitioner has not been settled so



far. In this regard, he has made several representations to the respondents. However, this Court is of an opinion that the Writ Petitioner was an employee of a Co-operative Society and no Writ Petition can be entertained under Article 226 of the Constitution of India, in view of the fact that Co-operative Society is not a State within the meaning of Article 12 of the Constitution of India. The legal principles was settled by the Larger 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, more specifically under Section 153 of the Tamil Nadu Co-operative Societies Act. Thus the Petitioner is at liberty to approach the revisional authority by filing appropriate revision petition under the provisions of the 'Act'.

4. With these observations, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai.
2. The Joint Registrar of Cooperative Societies,
Thanjavur.

+1cc to M/S.E.UDHAYA, Advocate SR.No.49995.

W.P. (MD) No. 3686 of 2013
20.02.2018

vsn