

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2019

CORAM

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

W.P.No.1033 of 2019

M.Suresh

... Petitioner

Vs.

1. The Joint Registrar of Cooperative Societies,
Tiruvannamalai Region,
Tiruvannamalai.
 2. The Deputy Registrar of Cooperative Societies,
Tiruvannamalai Region,
Tiruvannamalai.
 3. The President,
V.T.741, Tiruvannamalai District
Central Cooperative Bank Employees
Cooperative Thrift & Credit Society Limited,
Collectorate,
Tiruvannamalai.
- Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 12.08.2015 and consequential representation dated 31.10.2018 within a stipulated period.

For Petitioner : Mr.B.Jawahar

For Respondents : Mrs.T.Girija
Government Advocate (Co-op)

O R D E R

The relief sought for in the present writ petition is directing the respondents to consider the representation of the petitioner dated 12.08.2015 and consequential representation dated 31.10.2018 within a stipulated period.

2 The grievance of the writ petitioner is that he was appointed in the third respondent's Cooperative society. However, without initiating any proper action, the writ petitioner was not allowed to join duty.

3 The learned Government Advocate appearing on behalf of the respondents states that the writ petitioner remained absent unauthorizedly and not attended the duty.

4 May that it be, this Court is of the opinion that no writ petition can be entertained against the third respondent society and the relief sought for in the present writ petition is against the third respondent society, which is a Cooperative Society registered under the provisions of the Tamil Nadu Cooperative Societies Act. The Cooperative Society is not a "State" within the meaning of Article 12 of the Constitution of India.

5 Thus, the writ petitioner has to exhaust the remedy provided under the provisions of the Tamil Nadu Cooperative Societies Act, more specifically, he has to approach the competent authority under Section 153 of the said Act, by filing a proper writ petition by paying necessary fees, in view of the legal principles settled by the larger bench of this Court in K.Marappan vs. Deputy Registrar of Co-Operative Societies, Namakkal Circle, Namakkal [(2006) 4 CTC 689 (FB)].

6 Thus, the writ petitioner is at liberty to approach the competent authority for the redressal of his grievances in the manner known to law.

Accordingly, this writ petition stands dismissed as not maintainable.

सत्यमेव जयते

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Joint Registrar of Cooperative Societies,
Tiruvannamalai Region,
Tiruvannamalai.
2. The Deputy Registrar of Cooperative Societies,
Tiruvannamalai Region,
Tiruvannamalai.
3. The President,
V.T.741, Tiruvannamalai District
Central Cooperative Bank Employees
Cooperative Thrift & Credit Society Limited,
Collectorate,
Tiruvannamalai.

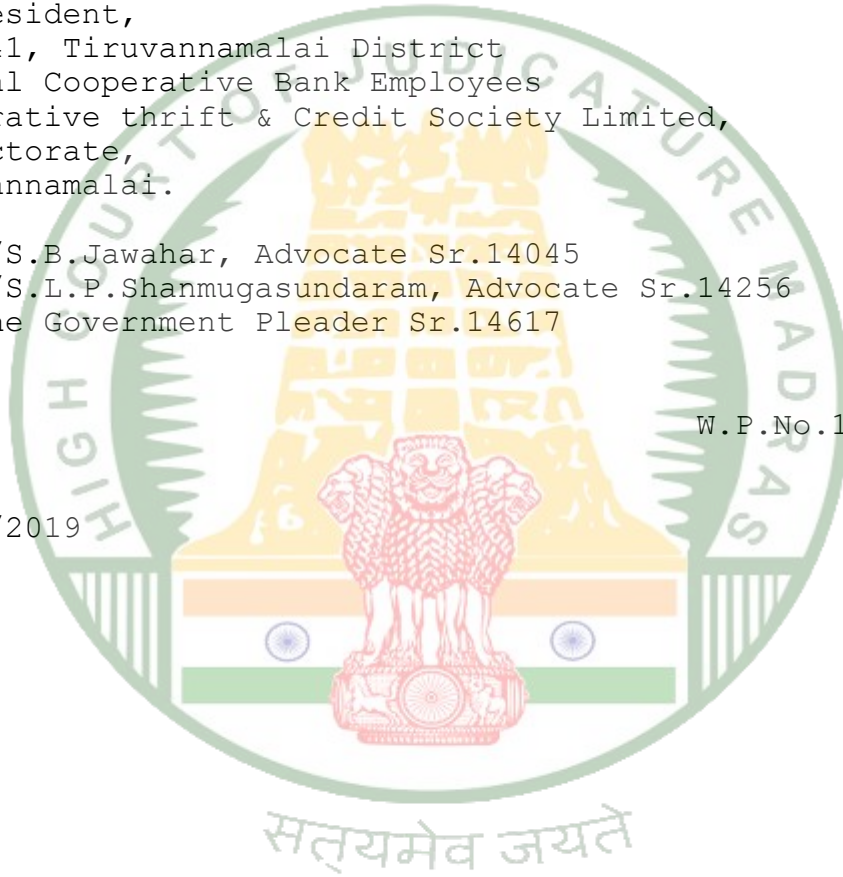
+1cc to M/S.B.Jawahar, Advocate Sr.14045

+1cc to M/S.L.P.Shanmugasundaram, Advocate Sr.14256

+1cc to the Government Pleader Sr.14617

W.P.No.1033 of 2019

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srg 19/03/2019



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