

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 31.01.2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.25274 of 2004

Thirumaran

...Petitioner

Vs

1.The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

2. The Special Officer,
Chintadripet Co-operative Bank Ltd., No.1628.
105, Sami Naicker Street,
Chintadripet, Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 2nd respondent made on 28.07.2004 and quash the same and consequently directing the 2nd respondent to reinstate the petitioners in service with continuity of service and backwages along with all other benefits.

For Petitioner : M/s.A.Nagarathinam

For Respondents : M/s.T.Girija
Government Advocate (Co-op)
for R1

Mr.S.Concious Ilango
for R2.

सत्यमेव जयते
O R D E R

The order of termination issued by the Special Officer, Chintadripet, Co-operative Bank in proceeding dated 28.07.2004 is under challenge in the present writ petition.

2. The 2nd respondent / Co-operative Society is a registered Society under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. Thus, the 2nd respondent is not a "State" within the meaning of Article 12 of the Constitution of India. Against the order of termination, the writ petitioner has to approach the competent authorities under the provisions of the Tamil Nadu Co-operative Society Act, 1983.

3. The legal principles in this regard are 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. In view of the fact that no writ can be entertained against the Co-operative Society, the petitioner is at liberty to approach the competent authorities for the purpose of redressing his remedies.

4. Accordingly, the writ petition dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

kak/kmm

To

1.The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

2. The Special Officer,
Chintadripet Co-operative Bank Ltd., No.1628.
105, Sami Naicker Street,
Chintadripet, Chennai - 600 002.

+1cc to M/s.A.Nagarathinam , Advocate SR.No. 8728

+1 CC TO GOVERNMENT PLEADER SR.NO. 9151

W.P.No.25274 of 2004

A.SK(04/03/2019)

सत्यमेव जयते

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