

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-03-2019

CORAM

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

W.P.No.2971 of 2019

And

W.M.P.Nos.3241 and 3242 of 2019

K.Raghunathan

.. Petitioner

- Vs. -

1.The Joint Registrar of Co-operative Societies,
Vellore District,
Vellore.

2.The Deputy Registrar of Co-operative Societies,
Ranipet,
Vellore District.

3.The President,
C-1247, Kaniyanoor Primary Agricultural
Co-operative Bank,
Kaniyanoor Village,
Arcot Taluk,
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent dated 23.2.2017 and quash the same and consequently direct the respondents 2 and 3 to post the petitioner as Secretary in the third respondent-Bank.

For Petitioner : Mr.P.Krishnan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op.).

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O R D E R

The order passed, imposing the punishment of reversion in proceedings dated 23.2.2017, issued by the third respondent-President of a Co-operative Bank, is under challenge in the present writ petition.

2. Admittedly, the writ petitioner is employed in the third respondent-Co-operative Bank, which is registered under

the provisions of the Tamil Nadu Co-operative Societies Act, 1983.

3. The order of punishment passed by the President of the third respondent-Co-operative Bank, in proceedings dated 23.2.2017, is under challenge in the present writ petition.

4. The third respondent, being not funded by the State, is not a State within the meaning of Article 12 of the Constitution of India. Thus, the employees of the Co-operative Bank have to redress their grievance by filing appropriate appeal before the competent authorities under the provisions of the Act. More-specifically, the revision under Section 153 of the Act, lies before the authorities competent and the writ petitioner is at liberty to approach the authorities by filing a revision petition in the prescribed format, challenging the order of reversion and by paying the necessary fees.

5. This being the scope of the writ petition, the merits raised in the present writ petition in respect of the impugned order of punishment must be adjudicated in the revision petition.

6. Accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Joint Registrar of Co-operative Societies,
Vellore District, Vellore.

2.The Deputy Registrar of Co-operative Societies,
Ranipet, Vellore District.

+1cc to Mr. L.P.Shanmuga Sundaram, Advocate, S.R.No. 20082

+1cc to Mr. P.Krishnan, Advocate, S.R.No. 20280

+1cc to the Government Pleader, S.R.No. 20968

WP 2971 of 2019

AD(CO)

GN(23/03/2019)