

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 25.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.34147 OF 2005

N. PANCHAKSHARAM

... petitioner

Vs

CHENGAM COOP. PRIMARY
AGRICULATURAL AND RURAL DEVELOPMENT BANK LTD.
REP. BY ITS SPECIAL OFFICER CHENGAM
TIRUVANNAMALAI DIST.

... respondent

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorari to call for the entire records in so far relate to the impugned order passed by the respondent in his proceedings No. Nil dated 26.9.2005 and quash the same.

For petitioner ... Mr.C.Prakasam

For respondents ... Mr.R.Chandrasekaran

O R D E R

The order of termination issued by the respondent in proceeding dated 26.09.2005 is under challenge in the present writ petition.

2. The impugned order of termination was issued by the Special Officer of the Cooperative Society under the provisions of the Tamil Nadu Cooperative Societies Act, 1983. A Cooperative society registered under the above Act is not a State within the meaning of Article 12 of the Constitution of India. Thus, no writ petition can be entertained in view of the legal principles settled by Larger Bench of this Court in the case of K.Marappan vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle and another, (2006(4) CTC 689). Remedy lies to the employee before the competent authority under the provisions of the Act. Since the present writ petition has been filed prior to the judgment of the larger Bench, the writ petitioner is at liberty to approach the competent authority under the provisions of the Act for redressal of his grievances.

3. With this observation, the writ petition stands dismissed as not maintainable. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tar

To

THE SPECIAL OFFICER
CHENGAM COOP. PRIMARY
AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.
TIRUVANNAMALAI DIST

W.P. No.34147 OF 2005

BR(CO)
SSM(26/02/2019)



WEB COPY