

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 14.02.2019

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.4273 of 2019
and
WMP.No.4811 & 4813 of 2019

V.Jegannathan

... Petitioner

..Vs..

1. The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative
Societies, Vridhachalam,
Cuddalore District.

2. The President,
E-2192, Vadapathi Primary Agricultural
Cooperative Credit Society,
Vadapathi, Cuddalore District.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent dated 22.10.2018 and quash the same and to direct the 2nd respondent to reinstate the petitioner into service with all the service benefits.

For Petitioner : Mr.G.Ilamurugu

For Respondents 1&2 : Mr.L.P.Shanmugasundaram
Spl.Govt.Pleader

O R D E R

The order of suspension issued by the President of the 2nd respondent Cooperative Society is under challenge in the present writ petition.

2. The 2nd respondent Cooperative Society is a registered Society under the provisions of Tamil Nadu Cooperative Societies Act,1983. Thus, the 2nd respondent is not a State within the meaning of Article 12 of the Constitution of India. The remedy lies to the employees of the Cooperative Societies under the provisions of the Act itself and they are bound to approach the Competent Authorities under the Act, more specifically, under Section 153 of the Act. The legal principles in this regard are settled by the larger Bench of this Hon'ble Court in the case of K.Marappan Vs. Deputy Registrar of Cooperative Societies, reported in (2006) 4 CTC 689.

3. In view of the fact that the writ petition is filed challenging the order of suspension issued by the President of the Cooperative Society. The writ petitioner has to exhaust the remedy provided under the provisions of the Act and accordingly, the writ petition stands dismissed as not maintainable. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pkn

To

1.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative
Societies, Vridhachalam,
Cuddalore District.

2.The President,
E-2192, Vadapathi Primary Agricultural
Cooperative Credit Society,
Vadapathi, Cuddalore District.

+1cc to Mr.G.Ilamurugu, Advocate, S.R.No.13507

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.13723

+1cc to the Government Pleader, S.R.No.14614

W.P.No.4273 of 2019

CP(CO)

rrs 15/03/2019

सत्यमेव जयते

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