

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.5429 of 2018

M.Subramanian

...Petitioner

Vs

1.The Joint Registrar of Co-operative Societies,
Villupuram Region, Villupuram.

2.The Deputy Registrar of Co-operative Societies,
Thirukovilur,
Villupuram District.

3.The President,
Emappur Primary Agriculture Co-operative Society,
Thirukovilur Taluk,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the letter of the third respondent dated 26.08.2016 and to quash the same and consequently direct the third respondent to permit the petitioner to rejoin in duty by revoking the suspension.

For Petitioner : Mr.S.Sairaman

For Respondents: Mr.L.P.Shanmuga Sundaram
Special Government Pleader.

O R D E R

The order of suspension issued by the third respondent/Co-operative Societies is under challenge in the present writ petition.

2. The proceedings of the third respondent Society on initiation of disciplinary proceedings against the writ petitioner issued the order of suspension impugned in the writ petition. The Co-operative Society registered under the provision of the Tamil Nadu Co-operative Societies Act is not a state within the meaning of Article 12 of the Constitution of

India, thus, the remedy to the employees lies within the provisions of the Act, itself.

3. In view of this fact the no writ petition can be entertained and the 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]. Under these circumstance the petitioner is at liberty to approach the competent authorities and the provisions of the Co-operative Societies for redressal of his grievance. With these observations this writ petition stands dismissed as not maintainable. However, there shall be no order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Joint Registrar of Co-operative Societies,
Villupuram Region, Villupuram.

2. The Deputy Registrar of Co-operative Societies,
Thirukovilur,
Villupuram District.

3. The President,
Emappur Primary Agriculture Co-operative Society,
Thirukovilur Taluk,
Villupuram District.

+1 CC to Mr.S.Sairaman, Advocate sr 11257.

+1 CC to Mr.L.P.Shanmuga Sundaram, Advocate sr 11994.

+1 CC to Govt. Pleader sr 11866.

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RJI (CO)
SP(20/03/2019)