

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-02-2019

CORAM

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

W.P.No.4624 of 2018

And

W.M.P.No.5700 of 2018

S.Vaithiyanathasamy

... Petitioner

Vs

1.The Joint Registrar of Cooperative Societies,
Cuddalore Region,
Cuddalore-607 001,
Cuddalore District.

2.The Deputy Registrar of Cooperative Societies,
Chidambaram Circle,
Chidambaram-608 001,
Cuddalore District.

3.The President,
E-2584 Thillaividangan Primary
Agricultural Cooperative Credit Society,
Thillaividangan Village and Post-608 102,
Chidambaram Taluk,
Cuddalore District.

.... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose the Statutory Revision filed under Section 153 of the Tamil Nadu Cooperative Societies Act, 1983 by the petitioner on 7.6.2017 by giving a direction to the third respondent to disburse the subsistence allowance to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents-1&2 : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co.op) .

For Respondent-3 : Mr.M.S.Palaniswamy

O R D E R

The order of suspension passed by the President of the third respondent Co-operative Society, is under challenge in the present writ petition.

2. The Co-operative society registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 is not a State within the meaning of Article 12 of the Constitution of India. Thus, the writ petitioner has to exhaust the remedies available under the provisions of the Act itself.

3. It is brought to the notice of this Court that the writ petitioner filed a Statutory Revision Petition under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983, before the first respondent on 7.6.2017 and the same is pending for adjudication.

4. Thus, without going into the merits of the matter, the first respondent is directed to consider the Revision Petition filed by the writ petitioner on 7.6.2017 and pass orders on merits and in accordance with law, after affording opportunity to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Joint Registrar of Cooperative Societies,
Cuddalore Region,
Cuddalore-607 001,
Cuddalore District.

2.The Deputy Registrar of Cooperative Societies,
Chidambaram Circle,
Chidambaram-608 001,
Cuddalore District.

+lcc to Mr.C.Prakasam, Advocate, S.R.No. 11479

W.P.No.4624 of 2018

KS (CO)
GN(06/03/2019)