

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.04.2019

CORAM

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

W.P.No.12201 of 2019

C.Murugan

..Petitioner

vs

The President
KK260, Thonganoor Primary
Agricultural Co-operative Credit Society,
Thonganoor,
Cinthalpadi Post,
Dharmapuri District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to furnish the back wages with all allowances for the period from 06.07.2013 to 15.08.2018 passed by the respondent within a stipulated period of time as fixed by this Court.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.L.P.Shanmuga sundaram
Special Government Pleader(Co-p)

ORDER

The relief sought for in the present writ petition is for a direction to the respondents to furnish the back wages with all allowances for

the period from 06.07.2013 to 15.08.2018 which is legally entitled to the writ petitioner as per the proceedings dated 05.10.2018.

2. The learned counsel for the writ petitioner states that the writ petitioner was working as Secretary in the respondent/Co-operative Society and on account of certain allegations, the departmental disciplinary proceedings were initiated against him. Subsequently, charges against the writ petitioner were dropped and suitable resolutions were also passed by the Board of the respondents society. In spite of these developments the service benefits to be paid to the writ petitioner is yet to be paid.

3. The respondent is a Co-operative Society which is not funded by the State nor administered by the authorities of the State. Thus, no writ petition can be entertained against the Co-operative Society which is not a "State" within the meaning of Article 12 of the Constitution of India. This apart, the effective alternate remedy is available to the writ petitioner under the provisions of the Tamil Nadu Co-operative Society, more specifically, the writ petitioner can file a revision petition under Section 53 of the Tamil Nadu Co-operative Society Act for the purpose of redressing his grievances. In this view of the matter, the writ

petitioner is at liberty to approach the competent authority under the provisions of the Act by filing a writ petition in a prescribed format by paying necessary fees.

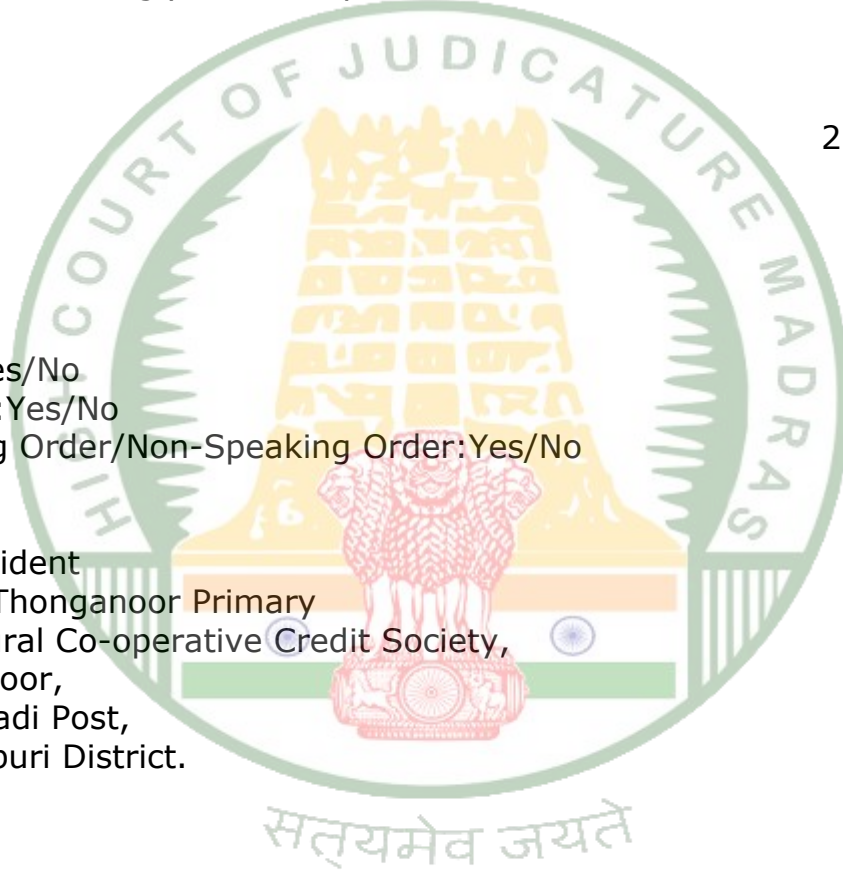
4. Accordingly, the writ petition stands dismissed. No costs.

25.04.2019

ssb

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order:Yes/No

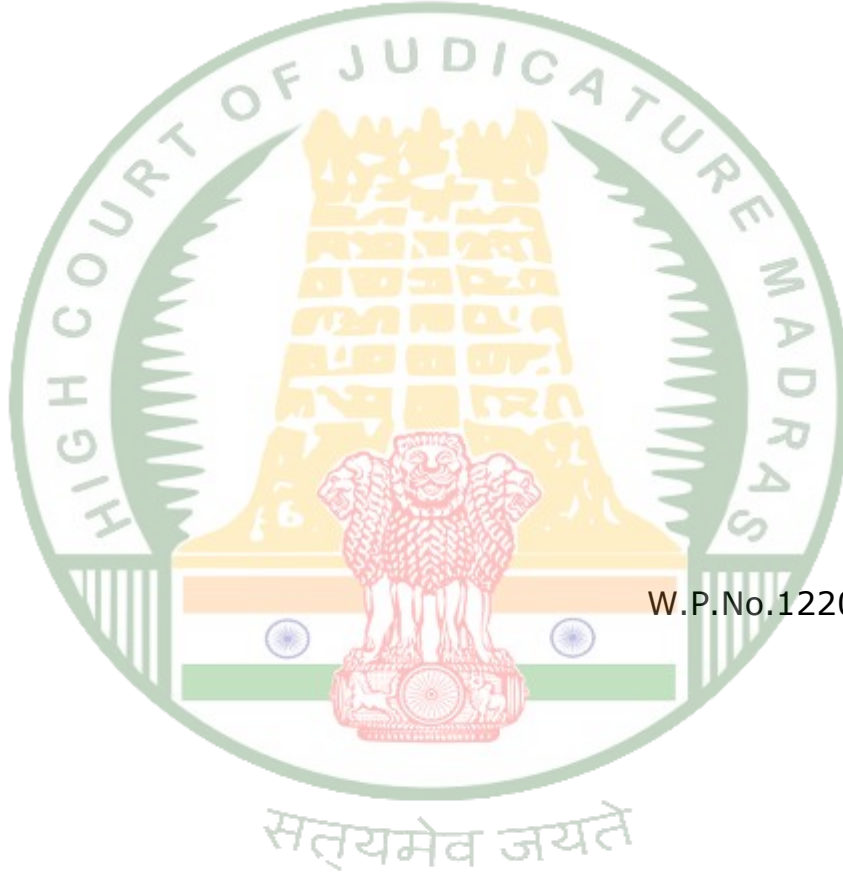
To
The President
KK260, Thonganoor Primary
Agricultural Co-operative Credit Society,
Thonganoor,
Cinthalpadi Post,
Dharmapuri District.



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S.M.SUBRAMANIAM J.

ssb



W.P.No.12201 of 2018

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23.04.2019