

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.03.2019

CORAM

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

W.P.No.17349 of 2018

and

W.M.P.No.20611 & 20612 of 2018

P.Chandran

.. Petitioner

..vs..

1.The President,
Kandamanadi Primiary Agricultural Co-op Credit Society,
Kandamanadi Post,
Villupuram Taluk - 605 402.

2.The Deputy Registrar,
Office of the Deputy Registrar of Co-op Societies,
Villupuram.

3.The Joint Registrar,
Office of the Joint Registrar of Co-op Societies,
Villupuram.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records in connection with the order of dismissal from service dated 07.05.2018 issued by the 1st respondent, viz The President, E 2028 Kandamanadi Primary Agricultural Co-op Credit Society and quash the same.

For Petitioner : Mr.M.Kaviveerappan

For Respondent : Mr.L.P.Shanmuga Sundaram

सत्यमेव जयते
Special Government Pleader (Co-op)

O R D E R

The writ petitioner was dismissed from service by the Management of the Co-operative Society registered under the Tamil Nadu Co-operative Societies Act. The Co-operative Society registered under the Act, is not a State within the meaning of Article 12 of the Constitution of India. The order of dismissal which is running to 149 pages is in Proceedings No.E2028, Kandamandi Primary Agricultural Co-operative Credit Society Limited. Against the said order, the remedy of revision is before the Competent Authority under Section 153 of the Tamil Nadu Co-operative Societies Act.

2. In any event the writ petitioner has to exhaust the statutory remedy provided under the Act without exhausting the said remedy no writ can be entertained in view of the legal principles settled by the Larger Bench of this Court in the case of K.Marappan Vs. The Deputy Registrar of Co-operative Societies and another reported in 2006 (4) CTC 689.

3. Thus, the writ petitioner is at liberty to approach the competent authorities under the provisions of the Act for the redressal of his grievances by filing appropriate Revision Petition and by paying fees prescribed.

4. Accordingly, the writ petition stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The President,
Kandamanadi Primary Agricultural Co-op Credit Society,
Kandamanadi Post,
Villupuram Taluk - 605 402.
2. The Deputy Registrar,
Office of the Deputy Registrar of Co-op Societies,
Villupuram.
3. The Joint Registrar,
Office of the Joint Registrar of Co-op Societies,
Villupuram.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.20601
+1cc to Mr.M.Kaviveerappan, Advocate, S.R.No. 22249
+1cc to the Government Pleader, S.R.No. 20985

W.P.No.17349 of 2018

and

W.M.P.No.20611 & 20612 of 2018

BR(CO)
GN(04/04/2019)