

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.04.2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.26470 of 2018
and
WMP.Nos.30763 & 30765 of 2018

R.Mangai

...Petitioner

Vs

The Joint Registrar / Managing Director,
Salem District Central Cooperative Bank Ltd,
Cherry Road, Maravanery,
Salem - 7.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the respondent in her proceedings Na.ka.No.2477/2010/Ni.1, dated 25.04.2018 and quash the same and consequently directing the respondent to reinstate the petitioner into service as Assistant along with backwages, attendant benefits and other monetary benefits.

For Petitioner : Mr.C.Prakasam
For Respondent : Mr.L.P.Shanmugasundram
Special Government Pleader

O R D E R

The learned counsel for the respondent made a submission that, the demand draft bearing No.014544, drawn in the Salem District Central Co-operative Bank Ltd dated 03.04.2019, for Rs.2,46,243/- (Rupees Two Lakhks Forty Six Thousand Two Hundred and Three Only), towards the payment of subsistence allowance is ready and the same is now handed over to the learned counsel appearing on behalf of the writ petitioner Mr.C.Prakasam who acknowledged the demand draft handed over.

2. In view of the fact that, the subsistence allowance as applicable has now been paid by way of demand draft to the learned counsel appearing on behalf of the writ petitioner, however, as far as the order of dismissal, which is impugned in the present writ petition is concerned, the same is issued by the Managing Director of the Cooperative Bank. Against the order

passed by the Managing Director of a Cooperative Bank, a revision lies under Section 153 of the Act and in this regard, the writ petitioner is at liberty to approach the Competent Authority by way of Revision Petition in a prescribed format by paying the necessary fees.

3. As far as the dismissal order is concerned, no further orders can be passed, in view of the fact that, the respondent Cooperative Bank is not a State within the meaning of Article 12 of the Constitution of India. Accordingly, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

Pkn

To

The Joint Registrar / Managing Director,
Salem District Central Cooperative Bank Ltd,
Cherry Road, Maravanery,
Salem - 7.

+1cc to Mr.C.Prakasam, Advocate sr.35875

W.P.No.26470 of 2018

cp(co)
nr 10/05/2019

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