

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.02.2019

CORAM

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

W.P.No.29755 of 2018
and

W.M.P.Nos.34715 & 34718 of 2018

B.S.Venkateshan

.. Petitioner

..vs..

1.The Deputy Registrar of Co-operative Societies,
Hosur Circle, Hosur, Krishnagiri District.

2.The President,
D.K.80, Berigai Primary Agricultural
Co-operative Credit Society,
Sulagiri Road, Berigai - 635 105,
Sulagiri Taluk,
Krishnagiri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No. Nil, dated 25.10.2018 and quash the same and consequently directing the respondents to reinstate the petitioner into service along with backwages, attendant benefits and other monetary benefits to the petitioner.

For Petitioner : Mr.C.Prakasam

For 1st Respondent : Mr.L.P.Shanmugasundaram
Special Government Pleader (co.op)

For 2nd Respondent : Mr.M.S.Palaniswamy

O R D E R

The impugned order issued by the President of the Co-operative Society, registered under the provisions of the Tamil

Nadu Co-operative Societies Act is under challenge in this writ petition.

2. No writ petition can be entertained against an order passed by the Management of Co-operative Society, in view of the fact that The Cooperative Society is not a State within the meaning of Article 12 of the Constitution of India. In respect of the employee of the Cooperative Society, the alternate remedy of revision is to be exhausted, which is provided under the Tamil Nadu Cooperative Societies Act.

3. The legal principles in this regard are 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

4. Thus, the writ petitioner is at liberty to approach the competent authorities under the provisions of the Act for the redressal of his grievances.

5. Accordingly, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Pns
To

1.The Deputy Registrar of Co-operative Societies,
Hosur Circle, Hosur, Krishnagiri District.

2.The President,
D.K.80, Berigai Primary Agricultural
Co-operative Credit Society,
Sulagiri Road, Berigai - 635 105,
Sulagiri Taluk, Krishnagiri District.

+1 cc to The Government Pleader, Sr.No.17642

+1 cc to Mr.C.Prakasam, Advocate Sr.No.17783

+1 cc to Mr.M.S.Palaniswamy, Advocate Sr.No.18136

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SS(CO)
CSL/03.04.2019