

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.30024 & 30027 of 2018
and
W.M.P.Nos.35036 & 35038 of 2018

S.Muruganantham ..Petitioner in W.P.No.30024 of 2018

S.Selvarasu ..Petitioner in W.P.No.30027 of 2018

Vs.

1. The Deputy Registrar of Co-op Societies,
Virudhachalam Circle, Virudhachalam
Cuddalore District

2. The President
I.I.556, Tholar Primary Agricultural
Co-operative Credit Society Ltd.,
Tholar Village & Post - 606 111,
Tittagudi Taluk
Cuddalore District ... Respondents in both
Writ petitions

COMMON PRAYER: These Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No. Nil, dated 29.09.2018 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 Petitioners : Mr.C.Prakasam
(in both Writ petitions)

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader
(in both Writ petitions)

COMMON ORDER

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 these writ petitions.

2. No writ petitions 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 employees of the Co-operative Society, the alternate remedy of revision is to be exhausted, which is provided under the Tamil Nadu Co-operative 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 petitioners are at liberty to approach the competent authorities under the provisions of the Act for the redressal of their grievances.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Kmm/pns

To

1. The Deputy Registrar of Co-op Societies,
Virudhachalam Circle,
Virudhachalam, Cuddalore District.

2. The President

I.I.556, Tholar Primary Agricultural
Co-operative Credit Society Ltd.,
Tholar Village & Post - 606 111,
Tittagudi Taluk, Cuddalore District .

+2 cc's to M/s.C.Prakasam, Advocate Sr.No.17781 & 17782

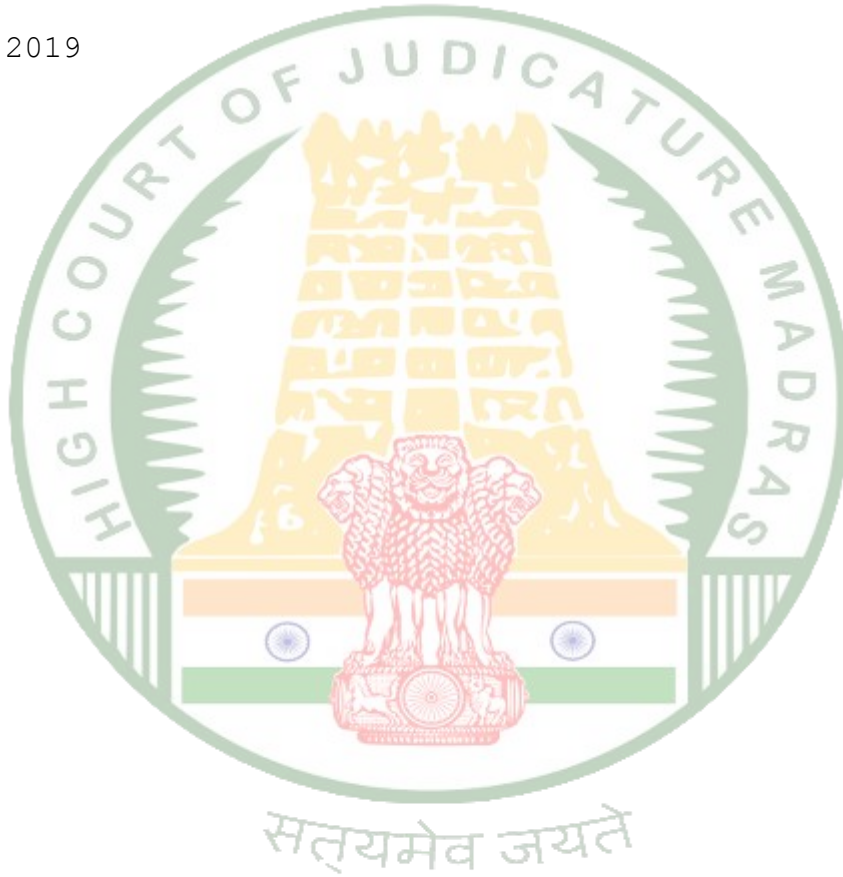
+2 cc's to M/s.L.P.Shanmugasundaram, Advocate Sr.No.17368 & 17372

+1 cc to The Government Pleader, SR.No.17643

W.P.No.30024 & 30027 of 2018

RSV(CO)

CSL/01.04.2019



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