

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.03.2019

CORAM

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

W.P.No.31385 of 2018 and  
W.M.P.No.36571 of 2018

T.Gopalakrishnan

..Petitioner

vs

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

2. The President,  
I.I.556, Tholar Primary Agricultural  
Cooperative Credits Society Ltd.,  
Tholar Village and Post 606 111.  
Tittagudi Taluk,  
Cuddalore District.

... Respondent

Prayer: This Writ Petition filed under Article 226 of the Constitution of India praying to issue 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 Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram  
Special Government Pleader  
(Co-operative society)

O R D E R

The impugned order issued by the President of the Co-operative Society, registered under provisions of the Tamil Nadu Co-operative Societies Act is under challenge in the writ petition.

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 petitioner is at liberty to approach the competent authorities under the provisions of the Act for the redressal of their grievances.

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

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

vum/mbi  
To

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

2. The President,  
I.I.556, Tholar Primary Agricultural  
Cooperative Credits Society Ltd.,  
Tholar Village and Post, 606 111  
Tittagudi Taluk,  
Cuddalore District.

+1 CC to Mr.C.Prakasam, Advocate sr 31227.

+1 CC to The Govt. Pleader sr 31054

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EV(CO)  
SP(25/04/2019)