

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.07.2019****CORAM:****THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM****W.P. (MD) No.11011 of 2013****and****M.P. (MD) Nos.1 and 2 of 2013**

WEB COPY

C.S. Shanthi

... Petitioner

-Vs-

1. The President,
D.D.572, Ottupatti K.Singarakottai Primary
Agricultural Co-operative Credit Society,
K.Singarakottai, Aathur Taluk, Dindigul District.

2. The Chairman,
District Primary Agricultural Co-operative
Credit Society,
Dindigul, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to reinstate the petitioner immediately as Jewel Appraiser in the first respondent society based on her representation dated 01.07.2013 and also directing to disburse 100% eligible remuneration transparently, without any cut to the petitioner.

For Petitioner : Mr.R.Murugan
For R1 : No Appearance

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the first respondent to reinstate the writ petitioner as Jewel Appraiser in the first respondent Society based on her representation dated 01.07.2013.

2.The writ petitioner was engaged as a Jewel Appraiser in the first respondent Agricultural Co-operative Credit Society, which is a society registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as 'the Act'). The society, which is not funded by the Government, or co-operative institutions, cannot be a "State" within the meaning of Article 12 of the Constitution of India.

3.Thus, the writ petitioner has to exhaust the remedy provided under the provisions of the Act, more specifically, Section 153 of the Act provides a revision to be preferred before the competent authority for the purpose of conducting an enquiry and pass orders. However, the Writ Petition cannot be entertained



without exhausting the remedy provided under the Act. The legal principles in this regard are already 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.Under these circumstances, the writ petitioner is at liberty to approach the competent authority under the provisions of the Act for the purpose of redressing her grievances.

5.With these observations, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The President,
D.D.572, Ottupatti K.Singarakottai Primary
Agricultural Co-operative Credit Society,
K.Singarakottai, Aathur Taluk, Dindigul District.
2. The Chairman,
District Primary Agricultural Co-operative
Credit Society,
Dindigul, Dindigul District.

+1 CC to SPL GP (SR-78200[F] dated 29/07/2019)

W.P. (MD) No.11011 of 2013
26.07.2019

myr

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