



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1205 of 2015

and

M.P. (MD) Nos.1 & 2 of 2015

S.Murugan

... Petitioner

vs.

1.The Joint Registrar

Co-operative Societies

District Level Officers Complex

Block No.1 (Upstairs), Collectorate

Theni District-625 531

2.The President

A-1872, Erasakanaiyaknoor

Primary Agriculture Cooperative Bank

Erasakanaiyaknoor Post

Uthamapalayam Taluk

Theni District

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to impugned order passed by the 2nd respondent dated 17.09.2014 and subsequently extending the period of suspension order dated 23.12.2014 and quash the same as illegal and consequentially direct the 2nd Respondent to reinstate the petitioner into service.

For Petitioner : Mr.R.Karunanidhi

For Respondents: Mr.D.Muruganandham

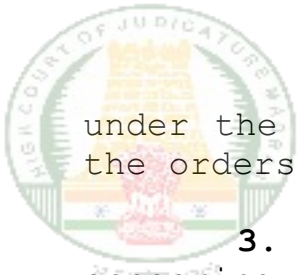
Additional Government Pleader for R1

Mr.G.Murugan for R2

### O R D E R

The impugned order dated 17.09.2014 and the consequential order, dated 23.12.2014, were passed by the President of A-1872, Erasakanaiyaknoor Primary Agriculture Cooperative Bank / second respondent.

2. A Cooperative Bank, registered under the provisions of the Tamil Nadu Cooperative Societies Act, 1983 (hereinafter, referred to as "the Act"), is not a State within the meaning of Article 12 of the Constitution of India. The employees of the Cooperative Banks have to exhaust their statutory remedy provided



under the Act. Thus, no writ petition can be entertained against the orders passed by the Cooperative Banks.

3. This apart, the learned Additional Government Pleader appearing for the first respondent brought to the notice of this Court that during the pendency of the present writ petition, the disciplinary proceedings initiated against the writ petitioner were concluded and he was dismissed from service on 23.09.2015. This being the factum, no further adjudication is required in respect of the grounds raised in the present writ petition.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

Sub Assistant Registrar(CS )

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To:  
The Joint Registrar,  
Co-operative Societies,  
District Level Officers Complex,  
Block No.1 (Upstairs), Collectorate,  
Theni District-625 531.

+1CC TO M/S.R.SARAVANAN, ADVOCATE, SR.NO. 71617  
+1CC TO M/S. SPECIAL GOVERNMENT PLEADER, SR.NO.72196

**W.P. (MD) No.1205 of 2015**  
**and**  
**M.P. (MD) Nos.1 & 2 of 2015**  
**26.06.2019**

BUC(10/07/2019)2P/4C