



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.10052 of 2014

A.Revathi ... Petitioner
vs.

1. The Deputy Registrar
District Registrar Office
Ramanathapuram District

2. The President
NN.216, Namubuthalai PACCS
Sozhiagudi, Ramanathapuram District

3. The President
NN.553 Kulathur Primary Agricultural
Co-operative Society, Kulathur

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the Respondents 1 & 2 to permit the petitioner to join duty and allow to work as a Clerk in the 2nd Respondent parent Society and consequently consider the petitioner's representation dated 20.03.2014.

For Petitioner : Mr.K..Elango
for Mr.K.S.Muthu

For Respondents : Mr.S.Dhayalan
Government Advocate for R1 & R2
Mr.D.Muruganantham for R3

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents 1 and 2 to permit the writ petitioner to join duty and allow her to work as Clerk in the second respondent / Parent Society.

<https://hcservices.ecourts.gov.in/hcservices/>
2. The writ petitioner states that her name was sponsored by the District Employment Exchange, Ramanathapuram, for appointment in the second respondent / Society. The writ



petitioner was working as Saleswoman in a Fair Price Shop at Kulathur. The second respondent / Society was running in loss and hence, she was relieved from the second respondent / Society and posted in the third respondent / Society. Now, the writ petitioner claims that she should be again posted in the second respondent / Society.

3. The disputes raised by the writ petitioner are in relation to the employment in a Co-operative Society. A Co-operative Society is not a "State" within the meaning of Article 12 of the Constitution of India. Thus, even in case of any grievances regarding transfer from one Society to another Society, the writ petitioner has to approach the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter, referred to as "the Act"), more specifically, the writ petitioner has to approach the Authority under Section 153 of the Act by filing a revision petition in the prescribed format by paying the necessary fees. 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, Namakkal Circle, Namakkal and another**, reported in **2006 (4) CTC 689**.

4. Under these circumstances, the writ petitioner is at liberty to redress her grievances in the manner known to law. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

1. The Deputy Registrar,
District Registrar Office,
Ramanathapuram District.
2. The President,
NN.216, Namubuthalai PACCS,
Sozhiagudi, Ramanathapuram District.

+1 CC to Special Government Pleader (SR-76613,76630[F] dated 22/07/2019)

W.P. (MD) No.10052 of 2014
19.07.2019

krk