



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.(MD) No.14934 of 2014

and

M.P.(MD)No.1 of 2014

M.Rajendran

... Petitioner

-Vs-

1.The District Collector,
Trichirappalli District, Trichy.

2.The Joint Registrar / Managing Director,
Trichirapalli District Amaravathi Consumer
Co-operative Wholesale Store R-683,
Trichy.

3.The Special Tahsildar,
Civil Supply Department,
Trichy East, Trichirapalli District.

4.The Special Revenue Inspector,
Civil Supply Department,
Srirangam, Trichirapalli 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 the impugned order passed by the second respondent in his Na.Ka.No.081/2014-2015/C.S, dated 01.09.2014 and quash the same as illegal and consequently, direct the second respondent to reinstate the petitioner in his service with all attended benefits from 01.09.2014.

For Petitioner	: Mr.A.Chandrakumar
For R1, R3 & R4	: Mr.K.Mu.Muthu, Additional Government Pleader.
For R2	: Mr.R.Vijayakumar

ORDER

The order of suspension issued by the second respondent Trichirapalli District Amaravathi Consumer Co-operative Wholesale Store R-683, in proceeding dated 01.09.2014 is under challenge in the present Writ Petition.



2.The second respondent Co-operative Wholesale Store is a registered society under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as 'the Act'). Thus, it is not a State within the meaning of Article 12 of the Constitution of India. In respect of the order passed by the management of the Co-operative Society, the employees are bound to exhaust the remedy provided under the Act. In respect of the maintainability of a Writ Petition, the legal principles 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.

3.The writ petitioner has to approach the competent authority under Section 153 of the Act by filing revision petition in prescribed format by paying necessary fees.

4.This being the remedy available under the statutes, the writ petitioner has to exhaust the same at the first instance before approaching the High Court. Under these circumstances, the writ petitioner is at liberty to approach the competent authorities under the provisions of the Act for the purpose of redressal of his grievance.

5.Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Trichirappalli District,Trichy.
- 2.The Special Tahsildar,
Civil Supply Department,
Trichy East, Trichirapalli District.
- 3.The Special Revenue Inspector,
Civil Supply Department,
Srirangam, Trichirapalli District.

+1 CC to M/s.R.VIJAYA KUMAR, Advocate (SR-82635[F] dated 21/08/2019)
+1 CC to M/s.SPL GP (SR-82826[F] dated 21/08/2019)
+1 CC to M/s.A.CHANDRAKUMAR, Advocate (SR-83108[F] dated 22/08/2019)

W.P. (MD)No.14934 of 2014
20.08.2019

Myr
MS/04.09.2019/2P.7C