



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.07.2019
CORAM

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

WEB COPY

W.P.[MD]No.12346 of 2015
and
M.P.[MD]Nos.1 & 2 of 2015

C.Narayanan

... Petitioner

Vs.

1.The Deputy Registrar of
Cooperative Societies,
Paramakudi,
Ramanathapuram District.

2.The President,
Q 1193 A, Punavarasu,
Cooperative Credit Society,
Paramakudi,
Ramanathapuram District.

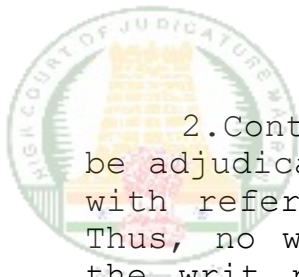
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records on the file of the first respondent pertaining to its order bearing Na.Ka.No.2756/2014/Thoo.Va.Koo.Ka.Sa.----- dated 10.07.2015 and the consequential orders of the second respondent dated Nil No.Nil and to quash the same.

For Petitioner : Mr.Rajakarthikeyan
For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

The impugned order dated 10.07.2015 was issued by the President of the second respondent Cooperative Society. The second respondent Cooperative Society is registered under the provisions of the Tamil Nadu Cooperative Societies Act, 1983, and not funded by the Government. Thus, it is not a State within the meaning of Article 12 of the Constitution of India. The employees of the Cooperative Societies are bound to approach the competent authorities under the provisions of the Tamil Nadu Cooperative Societies Act, for the purpose of adjudication of the issues and to redress their grievances.



2. Contrarily, such disputed facts and circumstances can never be adjudicated in writ proceedings. Such adjudication has to be done with reference to the original records and by adducing evidences. Thus, no writ can be entertained against a Cooperative Society and the writ petitioner has to exhaust the statutory remedy provided under the Act. The legal principles in this regard are settled by a large 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. Under these circumstances, the writ petitioner is at liberty to approach the competent authorities by filing a revision petition under Section 153 of the Act, before the competent authority in the prescribed form and by paying the prescribed fee. In the event of submitting any such revision petition, the authorities competent are empowered to adjudicate and decide the same on merits and in accordance with law.

4. With these observations, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The Deputy Registrar of
Cooperative Societies,
Paramakudi,
Ramanathapuram District.

2. The President,
Q 1193 A, Punavarasu,
Cooperative Credit Society,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-78465[F] dated 30/07/2019)

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-78456[F] dated 30/07/2019)

W.P[MD]No.12346 of 2015
29.07.2019

JM/09.08.2019/2P/5C