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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.07.2019
CORAM
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
W.P[MD]No.7904 of 2014

K.Selvam ... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Madurai Circle, Madurai.

2.The President,
Thirupparankundram Co-operative Primary
Agricultural and Rural Development Bank Ltd.,
Thirunagar, Madurai. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the of India for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 23.09.2013 on the basis of the letter sent by the first respondent vide Na.Ka.No.1558/2013 Ne.Va(1) dated 21.11.2013 and consequently direct the second respondent to reinstate the petitioner in service with back wages and continuity of service and all other attendant benefit.

For Petitioner : Mr.K.Mahendran
For R 1 : Mr.M.Jeyakumar
Additional Government Pleader
For R 2 : Mr.R.Saravanan

O R D E R

The relief sought for in the present writ petition is for a direction to direct the second respondent to consider the petitioner's representation dated 23.09.2013, on the basis of the letter sent by the first respondent in proceedings dated 21.11.2013.

2.As far as the first respondent Deputy Registrar of Co-operative Societies is concerned, he is not empowered under the Act to deal with the cases of irregular appointment as well as the service conditions of the employees. The Regional Joint Registrar is empowered to entertain cases regarding the employees of the Cooperative Societies Act. The grievances of the writ petitioner is that he was appointed as Clerk in the second respondent co-operative society on 01.02.1997 and subsequently, ousted from service.

3.Therefore, the writ petitioner has to approach the competent authority under Section 153 of the Act for the redressal of his grievance. The second respondent which is not funded by the

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Government is not a State within the meaning of Article 12 of the Constitution of India. So far, the writ petitioner has not filed any revision petition in the prescribed form by paying necessary fees to the competent authority. This being the factum, the writ petitioner is at liberty to approach the Competent Authority under Section 153 of the Act for the purpose of redressal of his grievance. In the event of receiving any such application, the same shall be dealt with by the respondents in accordance with law.

4.The Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Registrar of Co-operative Societies,
Madurai Circle, Madurai.

2.The President,
Thirupparankundram Co-operative Primary
Agricultural and Rural Development Bank Ltd.,
Thirunagar, Madurai.

+1 CC to SPL GP SR-76270.
+1 CC to M/s.R.SARAVANAN, Advocate SR-76461.
+1 CC to M/s.K.MAHENDRAN, Advocate SR-76177.

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