



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P.(MD).No.9107 of 2015

E.Victor Albert

... Petitioner

-Vs-

1.The Deputy Registrar of Co-operative Society,
Tiruchendur, Tuticorin District.

2.The President,
0775, Aathur Kaspa Primary Agricultural Co-operative
Credit Society,
Aathur, Tiruchendur Taluk,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the order passed by the 1st respondent in Na.ka.No.201/2015 SAPA, dated 27.01.2015 and to quash the same and direct the 1st respondent to calculate petitioner's eligible earned leave salary and the increment in accordance with law and to disburse the same.

For Petitioner : Mr.K.R.Laxman

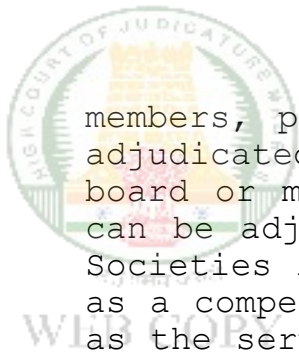
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader
for R1)

Mr.S.Karthik (for R2)

ORDER

The order, dated 27.01.2015, rejecting the appeal petition filed by the petitioner to adjudicate his service matters under Section 90 of the Tamil Nadu Co-operative Societies Act, is under challenge in the present writ petition.

2.Section 90 of the Tamil Nadu Co-operative Societies Act is enumerate that if any dispute touching the constitution of the board or the management or the business of a Registrar Society, among



members, past members and persons claiming through members, can be adjudicated. Thus, the disputes touching the constitution of the board or management or the business of the Registrar Society alone can be adjudicated under Section 90 of the Tamil Nadu Co-operative Societies Act. Under Section 90, the Deputy Registrar is notified as a competent authority for adjudication of such disputes. As far as the service conditions on grievances of the employees of the co-operative societies are concerned, they are bound to prefer a revision petition under Section 153 of the Tamil Nadu Co-operative Societies Act. The service matters of the employees co-operative societies as well as the service conditions are yet to be adjudicated by the Jurisdictional Joint Registrar as per the notification issued by the Government. Thus, the revision petition under Section 153 is to be preferred before the jurisdictional Joint Registrar for adjudication and for redressal of his grievances.

3. In this view of the matter, there is no infirmity in respect of the impugned order passed on 27.01.2015 by the Deputy Registrar. This being the legal principles, the writ petitioner is at liberty to approach the competent authority under Section 153 of the Act for filing a review petition in a prescribed format and paying the prescribed fees.

3. With this liberty, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Deputy Registrar of Co-operative Society,
Tiruchendur, Tuticorin District.

+1 CC to Mr.S.KARTHIK, Advocate SR-83050.

+1 CC to SPL GP SR-83335.

+1 CC to Mr.K.R. LAXMAN, Advocate SR-83350.

**W. P. (MD) .No.9107 of 2015
22.08.2019**

CS(19.09.2019) 2P 5C