



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM

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

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W.P. (MD)Nos.3355 to 3358 of 2015

W.P. (MD)No.3355 of 2015

Charles

... Petitioner

Vs.

The President,  
The Prakasapuram Co-operative  
Urban Bank Ltd., 0726,  
H.O.Prakasapuram,  
Mukupiri Post,  
Tiruchendur Taluk,  
Tuticorin District.

... Respondent

W.P. (MD)No.3356 of 2015

Delfin Jesu Arockiaraj

... Petitioner

Vs.

The President,  
The Prakasapuram Co-operative  
Urban Bank Ltd., 0726,  
H.O.Prakasapuram,  
Mukupiri Post,  
Tiruchendur Taluk,  
Tuticorin District.

... Respondent

W.P. (MD)No.3357 of 2015

Mahendran

... Petitioner

Vs.

The President,  
The Prakasapuram Co-operative  
Urban Bank Ltd., 0726,  
H.O.Prakasapuram,  
Mukupiri Post,  
Tiruchendur Taluk,  
Tuticorin District.

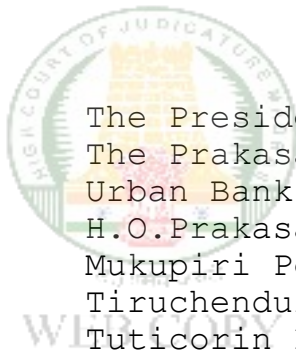
... Respondent

W.P. (MD)No.3358 of 2015

Edward Patrick Morand

... Petitioner

Vs.



The President,  
The Prakasapuram Co-operative  
Urban Bank Ltd., 0726,  
H.O.Prakasapuram,  
Mukupiri Post,  
Tiruchendur Taluk,  
Tuticorin District.

... Respondent

**Common Prayer:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the proceedings of the respondent herein dated 27.01.2015, pertaining to rejection of the petitioner request to regularize his service and to quash the same as illegal and further direct the respondent to regularize the petitioner in service by considering the present available vacancy.

|                 |                                                                         |
|-----------------|-------------------------------------------------------------------------|
| For Petitioners | : Mr.K.R.Laxman [in all W.P.s]                                          |
| For Respondents | : Mr.D.Muruganandham<br>Additional Government Pleader<br>[in all W.P.s] |

**COMMON ORDER**

These writ petitions are filed challenging the orders dated 27.01.2015, passed by the President of the Prakasapuram Co-operative Urban Bank. The writ petitioners are the employees of the respondent Prakasapuram Co-operative Urban Bank Limited.

2. Co-operative Society is not a State within the meaning of the Article 12 of the Constitution of India. A writ against Co-operative Society can be entertained if such a Co-operative Society is funded by the Government or an instrumentality of the State. All other Co-operative Societies registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 and not funded by the Government cannot be construed as a State and therefore, the petitioner has to exhaust the remedy provided under the provisions of the Tamil Nadu Co-operative Societies Act itself. The entertainability of the writ petition itself was decided by the Larger Bench of this Court in the case of ***K.Marappan vs. Deputy Registrar of Co-operative Society***, reported in ***2006 (4) CTC 689***.

3. Thus, these petitioners have to approach the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act, more specifically, under Section 153 of the Act.

4. In this view of the matter, the petitioners are at liberty to approach the competent authority by filing a statute revision petition in order to redress his grievances by following the procedures contemplated and by paying the fees prescribed.



5. With these observations, these writ petitions stand dismissed. No costs.

Sd/-

Assistant Registrar (CSII)

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Sub Assistant Registrar(CS)

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To

The President,  
The Prakasapuram Co-operative  
Urban Bank Ltd., 0726,  
H.O.Prakasapuram,Mukupiri Post,  
Tiruchendur Taluk, Tuticorin District.

+1 CC to M/s.SPL GP ( SR-22944[F] dated 26/11/2020 )

W.P.(MD)Nos.3355 to 3358 of 2015  
24.11.2020

MR(CO)

KB(03.12.2020) 3P 3C