

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1576 of 2021
(Heard through VC)

D.Srinivasan

.. Petitioner

-vs-

- 1.The Registrar of Co-operative Societies,
Co-operative Societies Registrar Office,
No.170, Periyar E.V.R.Main Road,
Poonamallee High Road,
Kilpauk, Chennai 600 010.
- 2.The Joint Registrar,
Co-operative Societies,
Joint Registrar Office Campus,
District Collector Office Campus Building,
Sathuvacherry, Vellore-632 009.
- 3.The Deputy Registrar,
Co-operative Societies Deputy Registrar Office Campus,
Ranipet Jurisdiction.
- 4.The President,
C-6897, Ammur Primary Agricultural
Co-operative Credit Society,
Bazaar Street,
Ammur - 632 501,
Wallajah Taluk,
Ranipet District.

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 10.11.2020 and thereby direct the Respondents to revoke the petitioner's dismissal order dated 18.02.2019 and also provide salary from the period of suspension dated 23.08.2017 to till reinstatement of petitioner service with full salary.

For Petitioner : Mr.D.Vijayababu

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

The writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 10.11.2020 and thereby direct the respondents to revoke the petitioner's dismissal order dated 18.02.2019 and also provide salary from the period of suspension dated 23.08.2017 to till reinstatement of petitioner's service with full salary.

2. Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner has come forward with the present writ petition seeking a relief against the fourth respondent, which is a Co-operative Society. This Court is not inclined to grant the relief as sought for by the petitioner, as the writ petition is not maintainable against the Co-operative Society in view of the judgment of this Court in K.Marappan vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another reported in 2006-4-L.W.495.

4. At the time of dictating the order, it is represented by the learned counsel for the petitioner that the petitioner has been asked to join the work on the Principle of 'No work No pay' vide order dated 14.02.2020 and the petitioner has not been provided with job yet. He further submitted that the petitioner has also filed a petition under Section 154 of Tamil Nadu Co-operative Societies Act, 1983 on 14.03.2020.

5. Though there is no need for this Court to make any observations, since the petitioner is without job, this Court expects the authority to decide the matter as per Section 154 of Tamil Nadu Co-operative Societies Act, 1983, and pass appropriate orders thereon, in accordance with law, after affording an opportunity of hearing to the petitioner, preferably within a period of sixty (60) days from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi

<https://hcservices.ecourts.gov.in/hcservices/>

To

- 1.The Registrar of Co-operative Societies,
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Kilpauk, Chennai 600 010.
- 2.The Joint Registrar,
Co-operative Societies,
Joint Registrar Co-Operative Societies,
Office Campus,
District Collector Office Campus Building,
Sathuvacherry, Vellore-632 009.
- 3.The Deputy Registrar,
Co-operative Societies Deputy Registrar Office Campus,
Ranipet Jurisdiction.
- 4.The President,
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Wallajah Taluk,
Ranipet District.

+1cc to M/s.D.Vijayababu Advocate SR.4643
+1cc to Spl.Govt Pleader (Co-OP) SR.4563

W.P.No.1576 of 2021

AK-II (CO)
CB (01/03/2021)

सत्यमेव जयते

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