

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.5394 of 2021

and

W.M.P.No.5991 of 2021

(Heard through VC)

I.Kannan

.. Petitioner

-vs-

1.The Registrar of Cooperative Societies (Housing),  
50, Ritherdon Road,  
Veppery, Chennai - 600 007.

2.The Deputy Registrar of Cooperative Societies (Housing),  
Ramanathan Street,  
Thyagaraya Nagar,  
Chennai - 600 017.

3.The Chief Executive Officer,  
Chennai Metropolitan Cooperative  
Housing Society Ltd.,  
50, Ritherdon Road,  
Veppery, Chennai - 600 007. ... Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent relating to his order in Na.Ka.No.24/2020-21 dated 20.02.2021 and quash the same and to consequently direct the respondents to continue the services of the petitioner in the third respondent Society.

For Petitioner : Mr.A.Praveenkumar

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

O R D E R

The petitioner has come up with this writ petition challenging the order passed by the third respondent in Na.Ka.No.24/2020-21 dated 20.02.2021 and consequently for a direction to the respondents to continue the services of the petitioner in the third respondent Society.

2. Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice on behalf of the respondents.

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

4. When the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that the petitioner without exhausting the appeal remedy has straight away filed this writ petition before this Court and therefore, the writ petition is not maintainable.

5. In view of the above submission, since the petitioner has got appeal remedy under Section 152 of the Tamil Nadu Co-operative Societies Act, 1983, this Court is not inclined to interfere with the impugned order. It is open to the petitioner to challenge the same in accordance with law. In case any appeal is filed by the petitioner, the Appellate Authority shall decide the same within a period of three months from the date of filing of the appeal, if the same is filed within time.

6. With the above observations, the writ petition is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS VIII)

/TRUE COPY/

Sub-Assistant Registrar

rsi/ar

To

1.The Registrar of Cooperative Societies (Housing),  
50, Ritherdon Road,  
Veppery, Chennai - 600 007.

2.The Deputy Registrar of Cooperative Societies (Housing),  
Ramanathan Street,  
Thyagaraya Nagar,  
Chennai - 600 017.

3.The Chief Executive Officer,  
Chennai Metropolitan Cooperative  
Housing Society Ltd.,  
50, Ritherdon Road,  
Veppery, Chennai - 600 007.

+1CC TO MR.P.ANBARASAN, ADVOCATE, SR.NO. 15217

+1CC TO M/S.SPECIAL GOVERNMENT PLEADER, SR.NO. 14885

W.P.No.5394 of 2021

and

W.M.P.No.5991 of 2021

PL(CO)

KKN 30.04.2021