



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 4737 of 2019

WEB COPY

R. Shanthi,
Erstwhile Secretary,
A2484, Alanganallur Co-operative Credit Society,
Madurai District.

... Petitioner

-vs-

- 1.The Joint Registrar of Co-operative Societies,
Madurai Region,
Madurai.
- 2.The Deputy Registrar of Co-operative Societies,
Madurai Region,
Madurai.
- 3.The President,
A2484, Alanganallur Co-operative Credit Society,
Alanganallur, Vadipatti Taluk,
Madurai District.
- 4.Selvam (Secretary Incharge)
A2484, Alanganallur Co-operative Credit Society,
Alanganallur, Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER 4737 of 2019:

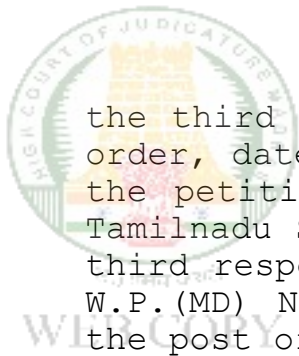
Petition filed under Article 226 of the Constitution of India, to issue a writ or any other order or direction in the nature of ***Writ of Certiorari*** to call for the records of the impugned order, dated 12.12.2018 passed by the third respondent.

For Petitioner	:	Mr.R.Senthil Kumar
For R-1 & R-2	:	Mr.A.K.Manickam, Counsel for State
For R-3	:	Mr.T.Lajapathi Roy

ORDER

The writ petition has been filed challenging the impugned order, dated 12.12.2018 passed by the third respondent.

2.According to the petitioner, she was working as Secretary in A2484, Alanganallur Co-operative Credit Society, Madurai District. Due to coercion of the third respondent, she has submitted her resignation letter. But, she do not submit any sworn declaration before the third respondent with regard to her resignation. On 18.08.2018, the petitioner sent a representation to the respondent Nos.1 & 2 narrating aforesaid facts. Based on a communication from



the third respondent, the second respondent has passed the impugned order, dated 10.11.2018, directing the third respondent to reinstate the petitioner in the post of Secretary, as per provisions of the Tamilnadu Societies Act. But, no such order has been passed by the third respondent. Hence, the petitioner has preferred a petition in W.P.(MD) No.25429 of 2018, praying to reinstate the petitioner for the post of Seecretary at the third respondent's office based on the communication letter of the second respondent, dated 10.11.2018, the same is pending before this Court. In the meantime, the third respondent has passed the impugned order, dated 12.12.2018, directing the petitioner to join duty in the post of Clerk. Hence, the petitioner has come out with the writ petition before this Court.

3.The learned counsel appearing for the petitioner has relied upon the decision rendered by the Full Bench of this Court in the case of **Marappan Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006(4) CTC, Page No.689.**

4.This Court is of the view that the decision rendered by the Full Bench of this Court in **Marappan's case** as cited above, this writ petition is not maintainable. This will not preclude the petitioner to seek appropriate remedy before the authority concerned under the Provision of the Tamilnadu Co-operative Societies Act.

5.In the result, this Writ Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Joint Registrar of Co-operative Societies,
Madurai Region, Madurai.

2.The Deputy Registrar of Co-operative Societies,
Madurai Region, Madurai.

W.P. (MD) No. 4737 of 2019

18.08.2021

RS (24.09.2021) 2P 3C

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