



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.4832 OF 2022

G.Ayyanar

... Petitioner

vs.

1. The Joint Registrar of Co-op Societies,  
Villupuram Region, Villupuram.
2. The President,  
CL.SPL.154, Brammadesam Primary Agricultural  
Co-op Credit Society Ltd., Brammadesam,  
Marakkanam Taluk, Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 29.03.2021 within a stipulated time fixed by this Court.

For Petitioner : Mr.C.Prakasam

For R1 : Mrs.S.Anitha  
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 29.03.2021 made by the petitioner.

2. The case of the petitioner in brief:

The petitioner herein was appointed as a Salesman in 2nd respondent society on 09.11.1987. During his service as salesman, the 2<sup>nd</sup> respondent committed some irregularities in the society and the petitioner had questioned the same and not cooperated with the misappropriation. Hence, the 2<sup>nd</sup> respondent threatened the petitioner and obtained resignation letter from



him on 01.01.2004. Thereafter, the petitioner fall into mental illness for several years and then he made a representation to the respondents on 29.03.2021 seeking reappointment, by considering his illness as well as the appointment made to the similarly placed employees. But, no actions were taken. Hence this writ petition.

3. The petitioner has admitted the fact that he has given resignation letter on 01.01.2004. But his contention is that, he had resigned the job due force and coercive act of the then Special Officer. It is to be noted that after resignation, the petitioner has not taken any steps to allege about the force and coercive by the then Special Officer. Now the petitioner made a representation on 29.03.2021 for reinstatement and continuity of service, belatedly, nearly more than 18 years. Therefore, there is no iota of truth to accept the contentions of the petitioner and to reconsider the claim of the petitioner for reinstatement in service. Further, the writ petition filed against the Co-operative Society is not maintainable in the light of the larger bench judgment of this Court in K.MARAPPAN VS. DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETY, NAMAKKAL reported in 2006 (4) CTC 689. Therefore, the petitioner has not made out any prima facie case and hence, the petition is liable to be dismissed.

4. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ata/mst

To

1. The Joint Registrar of Co-op Societies,  
Villupuram Region, Villupuram.
2. The President,  
CL.SPL.154, Brammadesam Primary Agricultural  
Co-op Credit Society Ltd., Brammadesam,  
Marakkanam Taluk, Villupuram District.

+1cc to the Government Pleader, S.R.No.15042

W.P.No.4832 of 2022

NRL (CO)

RLP (18/03/2022)