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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14-06-2022
CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.14285 of 2014
And
MP No.2 of 2014

K.Selvam .. Petitioner

vs.

1.The Deputy Registrar of Cooperative Societies,
Public Distribution System,
Dharmapuri.

2.K.K.27, Jertahlav Primary Agricultural Cooperative
Society Ltd., Rep. By its President Jerthalav,
Palakode Taluk,
Dharmapuri District. .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records of the order passed in Na.Ka.No.1980/2013 PDS2 dated 24.01.2014 on the file of the first respondent and consequential order of the second respondent dated 26.05.2014 and quash the same.

For Petitioner	: Mr.G.Mohanraj
For Respondent-1	: Ms.R.L.Karthika, Government Advocate.
For Respondent-2	: Mr.V.Ravichandran

O R D E R

The order passed by the Deputy Registrar of Cooperative Societies in proceedings dated 24.01.2014 addressing to the President of the second respondent-Society and the subsequent order passed by the President of the second respondent-Society in proceedings dated 26.05.2014 are under challenge in the present writ petition.



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2. The order passed by the first respondent is an inter departmental communication based on which the impugned order has been passed by the second respondent in proceedings dated 26.05.2014. The order impugned is passed by the President of the second respondent-Society.

3. The second respondent-Society is a Cooperative Society registered under the provisions of the Tamil Nadu Cooperative Societies Act, 1983 and not a State within the meaning of Article 12 of the Constitution of India. Thus, the present writ petition is not entertainable in view of the judgment of the larger bench of this Court in the case of K.Marappan vs. Deputy Registrar of Co-Operative Societies, Namakkal Circle, Namakkal [(2006) 4 CTC 689 (FB)], the aggrieved person has to exhaust the statutory remedy contemplated under the Tamil Nadu Cooperative Societies Act, more specifically, Section 153 of the Act, provides revision and the petitioner has to approach the Competent Authority by way of revision to redress his grievances in the manner known to law.

4. The learned counsel for the petitioner relied on the order of suspension issued by the President, which is self-contradictory. However, it is for the petitioner to establish his case before the Revisional Authority by preferring a revision in a prescribed format by following the procedures. Thus, the petitioner is at liberty to approach the Competent Authority under the provisions of the Tamil Nadu Cooperative Societies Act for redressal of his grievances.

5. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Deputy Registrar of Cooperative Societies,
Public Distribution System,Dharmapuri.

2.The President

K.K.27, Jertahlav Primary Agricultural Cooperative Society Ltd.,
Palakode Taluk,Dharmapuri District.

+1 cc to Mr.M.S.Palanisamy, Advocate Sr.NO. 35424

+1 cc to Government Pleader Sr.NO. 35335

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pmk(CO)

A.SK(28/06/2022)