



WEB COPY



W.P.No.19949 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.19949 of 2014
and M.P.No.2 of 2014

R.Manikannu

... Petitioner

-Vs-

1. The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

2. The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.

3. The Special Officer,
Arasoor Primary Agricultural
Co-operative Bank Ltd.,
Ulundurpet Taluk,
Villupuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, Calling for the impugned order passed by the 3rd respondent herein in his proceeding dated 07.06.2011 confirmed by the 2nd respondent in his impugned order in Na.Ka.3196/2010 Po. Vi.Thi.-1(1) dated 21.06.2011 and by the 1st respondent in his impugned order in Na.Ka.111718/10 Po.Vi.Thu.Pothu.2 dated 27.06.2011 and again confirmed by the 2nd



W.P.No.19949 of 2014

respondent in his impugned order in Na.Ka. 3196/2010/Po.Vi.Thi-1(1) dated 18.01.2012 and quash the same in so far as it related to recovery and consequently direct the respondents herein to pay the arrears of salary of Rs.1 37 311/- together with interest @ 24% per annum with effect from 07.06.2011.

For Petitioner : Mr.T.Dharani,
for Mr.K.Raja
For Respondents : Mrs.S.Anitha (for R1 & R2)
Special Government Pleader
Mr.L.P.Shanmugasundaram (For R3)

ORDER

The order passed by the Management of the Arasoor Primary Agricultural Co-operative Credit Society is under challenge in the present writ petition.

2. The 3rd respondent society is registered under the provisions of the Tamil Nadu Co-operative Societies Act and not funded by the Government and thus the Society is not a 'State' within the meaning of Article 12 of the Constitution of India. The employees if aggrieved has to exhaust the statutory remedy under the provisions of the Tamil Nadu Co-operative Societies Act more specifically under Section 153 of the Act. Thus, the petitioner has to approach the revisional authority under Section 153 of the Act for the purpose of redressal of his grievance.



W.P.No.19949 of 2014

WEB COPY

3. The principles in this regard are settled by the larger bench of this Court in the case of **Marappan, K. v. The Deputy Registrar of Co-operative Societies, Namakkal** reported in **2006 (4) CTC 689**. Thus, the petitioner is at liberty to approach the revisional authority in a prescribed form for the purpose of redressal of his grievances. In the event of any such approach, the period during which the writ petition was pending before this Court should be taken into consideration for the purpose of condoning the delay and the issues are to be decided on merits and in accordance with law, as expeditiously as possible.

4. With this liberty, the writ petition stands disposed of. No Costs. Consequently, the connected Miscellaneous Petition is closed.

05.07.2022

Index: Yes/No
Speaking/Non-speaking order.
ars



WEB COPY

To

1. The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

2. The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.

3. The Special Officer,
Arasoor Primary Agricultural
Co-operative Bank Ltd.,
Ulundurpet Taluk,
Villupuram District.



W.P.No.19949 of 2014

S.M.SUBRAMANIAM, J.

ars

W.P.No.19949 of 2014

05.07.2022