

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-10-2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.14423 of 2017

And

WMP No.15633 of 2017

A.Selvaraj

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Petitioner

vs.

1.The Joint Registrar,
Office of the Cooperative Society,
Salem Circle,
Salem District.

2.The President,
Korathupatti Primary Agricultural Cooperative
Loan Society, (Credit Society) S-1160,
Korathupatti,
Veeranam (P.O.),
Salem District.

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India,
praying for the issuance of a Writ of Certiorarified Mandamus, calling for the

records relating to the order dated 22.09.2016 on the file of the second respondent herein and quash the same and direct the respondents to reinstate the petitioner in service for the post of Salesman.

For Petitioner : Mr.R.Murugabharathi

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate.

O R D E R

The order dated 22.09.2016, which is under challenge in the present writ petition, was issued by the second respondent-Management of a Cooperative Society registered under the provisions of the Tamil Nadu Cooperative Societies Act.

2. A Cooperative Society, which is not funded by the Government is not a State within the meaning of Article 12 of the Constitution of India. Thus, no writ is entertainable. However, the writ petitioner, being the employee of the Cooperative Society, has to exhaust the alternate remedy provided under the Act. More specifically, the petitioner has to file a revision petition under Section 153 of the Act for redressal of his

grievances. Thus, the petitioner is at liberty to approach the Revisional Authority and in the event of any such approach, the Revisional Authority shall consider the period during which the present writ petition was pending before this Court for condoning the delay and accordingly, decide the issues on merits and in accordance with law.

3. 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.

19-10-2022

Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

Svn

To

The Joint Registrar,
Office of the Cooperative Society,
Salem Circle,
Salem District.

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S.M.SUBRAMANIAM, J.

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