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W.P.No.34270 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34270 of 2019

D.Rajagopal

... Petitioner

-Vs-

The Managing Director,
TAICO Bank, R.A. Puram,
Mandaveli, Chennai-28.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the Respondent to dispose the representation dated 27.06.2019 and 16.10.2019 within the time fixed by this Hon'ble Court.

For Petitioner : Mr.C.Veera Raghavan

For Respondent : No Appearance



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ORDER

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Disputed facts cannot be adjudicated in the writ proceedings, which is to be done with reference to the documents and evidence in original. The power of Judicial Review under Article 226 of the Constitution of India is to ensure the process through which a decision is taken by the competent authority, in consonance with the statutes and rules in force, but not the decision itself. Thus, certain financial transactions pleaded by the petitioner in his representations, cannot be considered and such disputes have to be decided only after a complete adjudication with reference to the documents and evidence.

2. The petitioner was an employee of the respondent Bank which is a cooperative society registered under the provisions of the Tamil Nadu Cooperative Societies Act. Therefore, the petitioner has to exhaust the statutory remedy contemplated under Section 153 of the said Act.

3. No writ is entertainable against a cooperative society since, TAICO Bank is not a State within the meaning of the Article 12 of the Constitution of India. Thus, the writ petitioner is at liberty to approach



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the revisional authority, under Section 153 of the Tamil Nadu Cooperative Societies Act, for the redressal of his grievances.

4. With this observations, the writ petition stands **disposed of**.

However, there shall be no order as to costs.

01.12.2022

Index : Yes

Speaking order
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To

The Managing Director,
TAICO Bank, R.A. Puram,
Mandaveli, Chennai-28.



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S.M.SUBRAMANIAM.J.,

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