



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3667 of 2020

Kathamuthu

... Petitioner

-vs-

1.The Joint Registrar/ Managing Director,
Thanjavur Central Cooperative Bank Ltd.,
West Main Street, Thanjavur-613 009.

2.The Branch Manager,
Thanjavur Central Cooperative Bank Ltd.,
Pattukottai Branch,
Pattukottai, Thanjavur District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 1st respondent in Na.Ka.No.2079/2018-19/E1, dated 05.03.2019 and quash the same and direct the respondents to give arrears of salary on the basis of revised pay scale for the period from 24.02.2016 to 18.04.2017.

For Petitioner	:	Mr.S.Deenadhayalan
For Respondent 1	:	Mr.P.Thilak Kumar, Government Pleader assisted by Mr.M.Ramesh, Government Advocate
For Respondent 2	:	Mr.Shanmugaraja Sethupahy

O R D E R

The order impugned dated 05.03.2019 passed by the Managing Director of Thanjavur Central Cooperative Bank Limited is under challenge in the present writ petition.

2.The respondent-Cooperative Bank is a Society registered under the Tamil Nadu Cooperative Societies Act and not funded by the Government and thus, not a State within the meaning of Article 12 of the Constitution of India. This apart, against the order passed by



the Management of the Cooperative Society, the petitioner is bound to exhaust the alternate remedy provided under Section 153 of the Tamil Nadu Co-operative Societies Act. When there is an efficacious remedy provided under the statute and the respondent-Cooperative Society is not a State, a Writ cannot be entertained before exhausting the statutory remedy under the Act. These being the principles laid down in **K.Marappan vs. Deputy Registrar of Co-operative Societies** reported in **2006 (4) CTC 689**, the petitioner is at liberty to approach the competent authority under the provisions of the Act for redressal of his grievances in the manner known to law.

3.With the above liberty, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

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Thanjavur Central Cooperative Bank Ltd.,
West Main Street, Thanjavur-613 009.

2.The Branch Manager,
Thanjavur Central Cooperative Bank Ltd.,
Pattukottai Branch, Pattukottai, Thanjavur District.

+1 CC to M/s.SPL GP (SR-9776[F] dated 03/03/2022)

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-9805[F] dated 03/03/2022)

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-9558[F] dated 02/03/2022)

ORDER MADE IN

W.P. (MD) No.3667 of 2020

02.03.2022

KVL/12.03.2022/2P/6C

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