



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6278 of 2021

S.Arumugam

... Petitioner

vs.

1.The Joint Registrar

Co-operative Societies Joint Registrar Office
Palayamkottai, Tirunelveli

2.The Deputy Registrar

Co-operative Societies Joint Registrar Office
Palayamkottai, Tirunelveli

3.The Managing Director

Palayamkottai Urban Co-operative Bank
Palayamkottai, Tirunelveli

4.The General Manager

Palayamkottai Urban Co-operative Bank
Palayamkottai, Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to the order passed by the 3rd respondent in his proceedings No.3/2020 case dated 08.03.2020 and quash the same as illegal and consequently direct the respondent to give appointment to the petitioner under the compassionate ground.

For Petitioner : Mr.Aayiram.K.Selvakumar

For Respondents : Mr.P.Thilak Kumar
Government Pleader
assisted by Mr.M.Ramesh
Government Advocate for R1 & R2
No appearance for R3 & R4

O R D E R

The order impugned was passed by the Administrator of Palayamkottai Urban Co-operative Bank, which is a Co-operative

<https://hcservices.ecourts.gov.in/hcservices/>



Society registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. Thus, the order passed by the Management of a Co-operative Society, which is not a State within the meaning of Article 12 of the Constitution of India, is not maintainable.

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2. The legal principles in this regard are well-settled by the Larger Bench of this Court in the case of ***K.Marappan vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another***, reported in **2006 (4) CTC 689**. Therefore, the petitioner has to approach the Revisional Authority under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983. Only if an order was passed by the Authority Competent under the provisions of the Act, then alone a writ would lie under Section 226 of the Constitution of India.

3. This being the scope of entertainability of the writ petition, the petitioner is at liberty to approach the competent Revisional Authority under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983 for redressal of his grievance in the manner known to law.

4. With the above liberty, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar

To:

1.The Joint Registrar,
Co-operative Societies Joint Registrar Office,
Palayamkottai, Tirunelveli.

2.The Deputy Registrar,
Co-operative Societies Joint Registrar Office,
Palayamkottai, Tirunelveli.

+1 CC to M/s.SPL GP (SR-9446[F] dated 02/03/2022)

W.P. (MD) No.6278 of 2021
01.03.2022

KRK
MS/11.03.2022/2P.4C