



WEB COPY

W.P.(MD) No.1850 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.02.2022
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1850 of 2019

and

W.M.P (MD) No.1568 of 2019

M.Maheshwari

... Petitioner

-vs-

1.The Deputy Registrar,
Office of Deputy Registrar of Co-operative Societies,
Sivagiri,
Tirunelveli District.

2.The Secretary,
TN.SPL 150 Mettupatti Primary Agricultural Co-operative Society,
Ramanathapuram,
Sivagiri Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order of the first respondent in ந.க. எண்.1541/2018-தொ.வே.ச. Dated 28.08.2018 and quash the same as illegal and consequently, direct the first respondent to provide compassionate appointment to the petitioner.

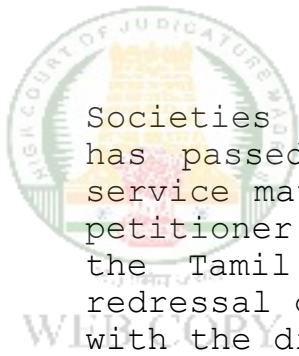
For Petitioner : Mr.C.M.Arumugam

For R1 & R2 : Mr.M.Ramesh
Government Advocate

O R D E R

The order impugned, dated, 28.08.2018 was issued by the Deputy Registrar of Co-operative Societies with reference to the claim of the petitioner for providing compassionate appointment in the second respondent co-operative society.

2. The second respondent is a co-operative society registered under the provisions of the Tamil Nadu Co-operative Societies Act and not a 'State' within the meaning of Article 12 of the Constitution of India. In respect of the service condition of the co-operative society, it is regulated by bye-laws and if at all any grievance exists, the aggrieved person has to approach the competent authority under the provisions of the Tamil Nadu Co-operative



Societies Act. Though, in the present case, the Deputy Registrar has passed an order, the Deputy Registrar cannot deal with the service matter of the employees of the Co-operative society and the petitioner has to prefer the revision petition under Section 153 of the Tamil Nadu Co-operative Societies Act for the purpose of redressal of her grievance. The Deputy Registrar is empower to deal with the dispute under Section 90 of the Act and not empower to deal with the service matters of the employees of the Co-operative Societies Act.

3. As far as the impugned order is concerned, the petitioner seeks compassionate appointment, therefore, if at all the petitioner is aggrieved as of now, she is at liberty to approach the revisional authority under Section 153 of the Tamil Nadu Co-operative Societies Act.

4. With these observations and liberty, the writ petition stands disposed of. No order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (DR-A/C)

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/ /2022

Sub Assistant Registrar(CS)

am

To

1.The Deputy Registrar,
Office of Deputy Registrar of Co-operative Societies,
Sivagiri,
Tirunelveli District.

2.The Secretary,
TN.SPL 150 Mettupatti Primary Agricultural Co-operative Society,
Ramanathapuram,
Sivagiri Taluk,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-4767[F] dated 08/02/2022)

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-4627[F] dated 07/02/2022)

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