



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.2001 of 2019
and
WMP (MD)No.1626 of 2019

G.Sanjeevi Raja

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Madurai Region,
Madurai.

2.The Deputy Registrar of Co-operative Societies,
Usilampatti Circle,
Thirumangalam,
Madurai District.

3.The President,
M.D(Spl).45, T.Ramanathapuram Primary
Agricultural Co-operative Credit Society,
T.Ramanathapuram,
Peraiyur Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records relating to the impugned order dated 14.01.2019 passed by the 3rd respondent and quash the same.

For Petitioner

:Mr.D.Shanmugaraja Sethupathi

For R1 & R2

:Mr.P.Tilak Kumar,
Government Pleader

Assisted by Mr.M.Ramesh,
Government Advocate



O R D E R

The impugned order of recovery passed by the 3rd respondent in proceedings dated 14.01.2019, is under challenge in the present Writ Petition.

2. The impugned order of recovery has been issued by the 3rd respondent Co-operative Society. The 3rd respondent Co-operative Society is registered under the provisions of Tamil Nadu Co-operative Societies Act and thus not a State within the meaning of Article 12 of the Constitution of India. The petitioner has to exhaust the statutory remedies contemplated under the provisions of the Act.

3. The principles in this regard are settled by the Larger Bench of the High Court of Madras in the case of **Marappan Vs. The Deputy Registrar of Co-operative Societies** reported in **(2006 (4) CTC 689)**. Thus, the petitioner is at liberty to approach the competent authority under the provisions of the Tamil Nadu Co-operative Societies Act for the purpose of redressal of his grievance.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (AE)

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Sub Assistant Registrar(CS)

MPK

To

1.The Joint Registrar of Co-operative Societies,
Madurai Region, Madurai.

2.The Deputy Registrar of Co-operative Societies,
Usilampatti Circle,
Thirumangalam,
Madurai District.

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-5566[F] dated 11/02/2022)

+1 CC to M/s.SPL.GP (SR-5697[F] dated 11/02/2022)

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