



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.8340 of 2019

W.M.P(MD).Nos.14646 and 6536 of 2019

K.Baskar

... Petitioner

Vs.

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

2.The Deputy Registrar of Co-operative Societies,
Thenkasi Circle,
Thenkasi,
Tirunelveli District.

3.The President,
O.1976, Kidarakulam Primary Agricultural,
Co-operative Credit Society,
Kidarakulam-627 854,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 04.03.2019 passed by the third respondent and quash the same and consequently direct the respondents to permit the petitioner to work continuously as Office Assistant (peon) in the third respondent Society.

For Petitioner	:	Mr.D.Shanmugaraja Sethupathi
For Respondents	:	Mr.M.Ramesh Government Advocate for RR1 and 2 No-appearance for R3

O R D E R

The memo seeking explanation from the petitioner issued by Kidarakulam Primary Agricultural Co-operative Credit Society is under challenge in the present writ petition.



2. The third respondent/Co-operative Society is a registered Society under the Tamil Nadu Co-operative Societies Act, which is not funded by the Government and therefore, is not a State within the meaning of Article 12 of the Constitution of India. Thus, the petitioner has to exhaust the alternative remedy contemplated under the Tamil Nadu Co-operative Societies Act, more specifically, Section 153 of the Act contemplates revision. In the present case, the petitioner has not even challenged the final order passed by the Management of the Society. Therefore, no writ needs to be entertained in view of the principles laid down by the Larger Bench of this Court in the case of ***K.Marappan vs. The Deputy Registrar of Co-operative Societies, reported in 2006 4 (CTC) 689***. The petitioner is at liberty to approach the Competent Authority, if any grievance exists.

3. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

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Sub Assistant Registrar(CS)

ssb

To

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

2.The Deputy Registrar of Co-operative Societies,
Thenkasi Circle,
Thenkasi,Tirunelveli District.

3.The President,
O.1976, Kidarakulam Primary Agricultural,
Co-operative Credit Society,
Kidarakulam-627 854,Tirunelveli District.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-19302[F]
dated 19/04/2022)

+1 CC to M/s.SPL.GP. (SR-19405[F] dated 19/04/2022)

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