



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.16621 of 2019 and
W.M.P.(MD) No.13254 of 2019

V.Manimegala

... Petitioner

-vs-

1.The Registrar of Co-operative Societies,
No.170, Peiryar EVR High Ways,
Keelpakkam, Chennai-10.

2.The Joint Registrar of Co-operative Society,
Karur Division, Karur District.

3.The LN Samuthiram Primary Agricultural
Co-operative Society,
Rep., by its President,
LN Samuthiram, Vadivel Nagar,
Karur District.

4.The Manager,
LIC of India, Divisional Office,
Jeevan Prakash,
P.B.No.39, Gandhiji Road,
Thanjavur-613 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining it is proceedings of the 3rd respondent bearing No.Nil dated 03.06.2019 and to quash the same and consequently directing the 1st respondent to direct the 2nd and 3rd respondents to implement the revision of pay as per the circular of the 1st respondent dated 28.02.2014 and to pay the gratuity and leave salary encashment of the petitioner along with 18% interest who attained the age of superannuation on 31.05.2017.

For Petitioner : Mr.S.C.Herold Singh

For RR1 & 2 : Mr.P.Thilak Kumar,
Government Pleader
Assist by

Mr.M.ramesh, Government Advocate



O R D E R

The order impugned dated 03.06.2019, issued by the elected President of L.N.Samuthiram Primary Agricultural Cooperative Credit Society, is under challenge in the present writ petition.

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2.The grievance of the writ petitioner is that she has not been paid the terminal benefits due to her. This Court is of the considered opinion that the 3rd respondent - Cooperative Society is not a State within the meaning of Article 12 of the Constitution of India. Thus, the Writ Petition is not maintainable, in view of the judgment of the Larger Bench of this Court in the case of **K.Marappan vs. Deputy Registrar of Co-operative Societies** reported in **2006 (4) CTC 689**. Therefore, the petitioner has to exhaust the statutory remedies provided under the Tamil Nadu Co-operative Societies Act, more specifically Section 153, which provides Revision for redressal of grievances. Thus, the petitioner is at liberty to approach the competent authority in the prescribed manner for the purpose of redressing the grievances. In the event of filing any such revision, the competent authority shall adjudicate the matter on merits and dispose of the same as expeditiously as possible, considering the fact that the petitioner has already retired from service.

3.With the above liberty, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

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/ /2022

Sub Assistant Registrar(CS)

abr

To

1.The Registrar of Co-operative Societies,
No.170, Peiryar EVR High Ways,
Keelpakkam, Chennai-10.

2.The Joint Registrar of Co-operative Society,
Karur Division, Karur District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-6687[F] dated
17/02/2022)

W.P.(MD) No.16621 of 2019

16.02.2022