



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.21097 of 2021

and

W.M.P. (MD) Nos.17694 & 17696 of 2021

S.Sathiyavel Murugan

... Petitioner

-vs-

1.The Joint Registrar of Co-operative Societies,
1st Floor, Anna Clinic, T.R.Naidu Salai,
West Grwat Cooton Road, Thoothukudi-2.

2.The Deputy Registrar of Co-operative Societies,
Trichendur Range,
Thoothukudi District.

3.The President,
Arumuganeri Salt Worker's Co-operative
Production and Sales Society,
Arumuganeri, Thoothukudi District.

4.S.Lakshmanan,
President,
Arumuganeri Salt Worker's Co-operative
Production and Sales Society,
Arumuganeri, Thoothukudi 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 in impugned memorandum dated 17.09.2021 and consequential order dated 06.10.2021 on the file of the 3rd respondent and quash the same.

For Petitioner : Mr.S.Kumar

For RR1 & 2 : Mr.S.P.Karthik,
Government Advocate

For R3 : Mr.J.Ashok

For R4 : No appearance



O R D E R

The impugned memorandum dated 17.09.2021 and the consequential order of suspension dated 06.10.2021 placing the writ petitioner under suspension on account of certain irregularities are under challenge in the present writ petition.

2.The petitioner is an employee of the Cooperative Society, which is not a State within the meaning of Article 12 of the Constitution of India. Thus, 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. Deputy Registrar of Co-operative Societies** reported in **2006 (4) CTC 689**. Therefore, the petitioner has to exhaust the statutory remedies contemplated under the provisions of the Tamil Nadu Cooperative Societies Act.

3.The learned Government Advocate made a submission that already Enquiry Officer was appointed and the enquiry proceedings have commenced. If so, it is for the authorities to continue the same.

4.As far as the order of suspension is concerned, the petitioner is at liberty to approach the revisional authority.

5.The learned counsel for the petitioner says that the petitioner has already filed a revision. If it is filed in a prescribed format, then the petitioner is at liberty to pursue the same, and the Regional Joint Registrar concerned shall conduct an enquiry and take a decision on merits and in accordance with law.

6.With the above observations, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

1.The Joint Registrar of Co-operative Societies,
1st Floor, Anna Clinic, T.R.Naidu Salai,
West Grwat Cooton Road, Thoothukudi-2.



2.The Deputy Registrar of Co-operative Societies,
Trichendur Range,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-12175[F] dated 15/03/2022)

W.P.(MD) No.21097 of 2021
14.03.2022

MGJ(25.03.2022) 3P 4C