



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2022

CORAM

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

W.P. (MD) No.24674 of 2019

and

WMP (MD) No.21314 of 2019

Alagarsamy

... Petitioner

-Vs-

1.The Management,
Q-308 Perunkarai Primary
Agricultural Co-operative Bank,
Now called as Q-308, Perunkarai Primary
Agricultural Co-operative Credit Society,
Keela Perunkarai,
Paramagudi Taluk,
Ramanad District.

2.The Enquiry Officer,
Q-308 Perunkarai Primary
Agricultural Co-operative Bank,
Now called as Q-308, Perunkarai Primary
Agricultural Co-operative Credit Society,
Keela Perunkarai,
Paramagudi Taluk,
Ramanad District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records relating to the Ex-parte Enquiry Report dated 02.03.2019 passed by the 2nd respondent and consequently the 2nd show-cause notice dated 27.07.2019 issued by the 1st respondent and quash the same are illegal.

For Petitioner

: Mr.D.Anbarasu

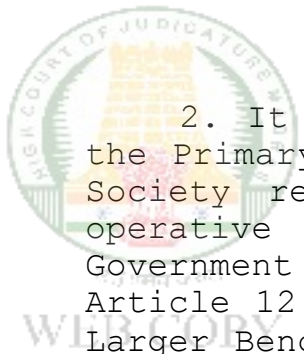
For Respondents

: Mr.M.Ramesh
Govt.Advocate

O R D E R

The Enquiry Report, dated 02.03.2019 submitted by the 2nd respondent to the Disciplinary Authority is under challenge in the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>



2. It is not in dispute that the petitioner is an employee of the Primary Agricultural Co-operative Bank, which is a Co-operative Society registered under the Provisions of the Tamil Nadu Co-operative Societies Act. The Society is not funded by the Government and therefore, it is not a State within the meaning of Article 12 of the Constitution of India. As per the Judgment of a Larger Bench of the High Court of Madras in the case of **K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal** reported in **(2006 (4) CTC 689)**, the petitioner has to exhaust the statutory remedies contemplated under the Tamil Nadu Co-operative Societies Act, more specifically, Section 153 of the Act contemplates Revision and the grievances of the employees are to be redressed by filing a Revision Petition in an appropriate format, by paying required fee. This being the factum, the petitioner is at liberty to approach the Revisional Authority under the Act for redressal of his grievances in the manner known to law.

3. With these liberty, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

MPK

To

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+1 CC to M/s.D.ANBARASU, Advocate (SR-11073[F] dated 10/03/2022)

+1 CC to M/s.SPL GP (SR-11191[F] dated 10/03/2022)

W.P. (MD) No.24674 of 2019

09.03.2022