



W.A.(MD)No.1729 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.A.(MD)No.1729 of 2023

N.Mariappan

... Appellant

Vs.

- 1.The Director,
Directorate of Handloom and Textiles,
Kuralagam, Chennai.
- 2.The Assistant Director,
Directorate of Handloom and Textile,
Collectorate Campus,
Virudhunagar District.
- 3.The Special Officer,
SPSPL-29,
Punalveli Weavers Cooperative Society,
Punalveli Rajapalayam Taluk,
Virudhunagar District.
- 4.The President,
SPSPL-29,
Punalveli Weavers Cooperative Society,
Punalveli Rajapalayam Taluk,
Virudhuangar District.

...Respondents

[R3 and R4 cause title amended vide order dated 29.03.2022]



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed in W.P.(MD)No.6724 of 2016 dated 29.03.2022 on the file of this Court by allowing this writ appeal with a direction to pay the back wages with continuity of service and attendant benefits.

For Appellant : Mr.J.Nantha Kumar
For R1 to R3 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

(Judgment of the Court was delivered by ***S.M.SUBRAMANIAM, J.***)

The present intra-Court appeal has been instituted against the order passed by the learned Single Judge dated 29.03.2022 in W.P.(MD)No.6724 of 2016.

2.It is not in dispute that the appellant before us was an employee of the 4th respondent Co-operative Society. The service conditions of the employees of the Co-operative Society are governed under the special by-laws approved under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as 'the Act') and the appeal remedy is also granted under the special by-laws and after exhausting the appeal remedy contemplated under the special



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by-laws that is to approach the Board, an aggrieved employee has to approach the revisional authority under Section 153 of the Act. When such mechanism is provided under the Act to redress the grievances of the employees, this Writ Petition is not entertainable and more so, the principles are settled in this regard by a Larger Bench of this Court in the case of ***K.Marappan Vs. The Deputy Registrar of Co-operative Societies and another*** reported in ***2006 (4) CTC 689***.

3.In view of the facts and circumstances, we do not find any infirmity in respect of the findings made by the learned Single Judge in the order, which is under challenge. Therefore, this Writ Appeal stands dismissed. However, the appellant is at liberty to workout his remedy in accordance with provisions under the Act. No costs.

(S.M.S., J.) & (V.L.N., J.)

04.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva



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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

Yuva

To

- 1.The Director,
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