



W.P.No.1240 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1240 of 2022
and W.M.P.No.13332 of 2022

L.Lakkumanan

.. Petitioner

Versus

1. The Joint Registrar of Cooperatives,
Salem Region,
Salem.
2. The Deputy Registrar of Cooperatives,
Salem Circle,
Salem.
3. The Cooperative Sub Registrar/Field Officer,
S402, Yercaud Lamp Cooperative Society,
Jerinakaddu, Yercaud,
Salem District.
4. The President,
S402, Yercaud Lamp Cooperative Society,
Jerinakaddu, Yercaud,
Salem District.

5. S.Prakash

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
pleaded to issue a Writ of Certiorarified Mandamus, calling for the records,



W.P.No.1240 of 2022

pertaining to the impugned order, dated 03.11.2021, reference Nil, on the file of the 4th respondent and quash the same and consequently, direct the 1st respondent to ensure that the petitioner is reverted back as Secretary of the S402, Yercaud Lamp Cooperative Society, Yercaud, Salem district.

For Petitioner : Mr.S.Kamadevan

For Respondent : Mr.P.Murugan Raja,
Government Advocate,
for RR-1 to 3

: Mr.U.Bharanidharan,
Additional Government Pleader,
for R4

: Mr.M.S.Palaniswamy, for R5

ORDER

This Writ Petition is filed challenging the impugned order, dated 03.11.2021.

2. The said order is passed by the President of the third respondent Co-operative Society, by which, one *Prakash* was granted promotion and the petitioner, who was discharging his duties as Secretary, was relieved from the post. The petitioner is aggrieved by the same. According to him, it is a common cadre post and the said President of the Co-operative Society is not even competent authority to pass such an order.



W.P.No.1240 of 2022

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3. Be that as it may, the third respondent is not a local or other authority of the State who would be amenable to the writ jurisdiction of this Court. If the petitioner is aggrieved by the said order, he has to file Revision Case before the appropriate authority under Section 153 of the *Tamil Nadu Co-operative Societies Act, 1983*. It can be seen from the typed set of papers filed along with the Writ Petition, the writ petitioner has made a representation to the jurisdictional Joint Registrar namely, the first respondent herein on 04.11.2021. The same shall be treated as a Revision under Section 153 of the *Tamil Nadu Co-operative Societies Act, 1983*.

4. Accordingly, this Writ Petition is disposed of on the following terms :-

(i) The first respondent is directed to consider the representation of the petitioner, dated 04.11.2021 and after issuing notice to the respondent Nos.3 and 5 namely, the Co-operative Sub-Registrar/Field Officer, Jerinkaddu, Yercaud, Salem district and *Prakash* and all parties concerned and enquire into the matter and pass orders in accordance with law on merits;



W.P.No.1240 of 2022

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(ii) The said exercise shall be carried out within a period of three months from the date of receipt of a copy of this order;

(iii) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.04.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

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W.P.No.1240 of 2022

D.BHARATHA CHAKRAVARTHY, J.

grs

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10.04.2024