



WEB COPY



W.P.No.9305 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9035 of 2024

S.Veeranna

.. Petitioner

Versus

1. The Director,
Milk Production and Diary Development Department,
Madavaram Milk Colony,
Madavaram, Chennai,
Tamilnadu - 600 051.

2. The General Manager,
Erode District Cooperative,
Milk Producers Union Ltd.,
Erode, Tamilnadu.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, direct the respondents to sanction and disburse the entire retirement benefits due to the petitioner including gratuity, pension surrender leave salary etc., with interest at 18% from the date on which the payment became due, before date that may be specified by this Court.

For Petitioner : Mr.P.R.Thiruneelakandan



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For Respondents : Mr.C.Jayaprakash,
Government Advocate

ORDER

This Writ Petition is filed with a direction to sanction and disburse the entire retirement benefits due to the petitioner along with further interest.

2. Admittedly, the petitioner is an employee of the second respondent. The second respondent is a Co-operative Society. As such, the Writ Petition is not maintainable.

3. Learned Counsel for the petitioner relies upon an earlier judgment of this Court in *R.Muthu Vs. The General Manager, The Krishnagiri District Coop. Milk Producers Union Ltd.* in W.P.No.19760 of 2023, dated 05.07.2023. That may be so, but, in the said judgment, the question whether the Writ Petition against a Co-operative Society is maintainable or not was not considered. Therefore, since the second respondent is not an authority of the State within the meaning of Article 12 of the Constitution of India, this Writ Petition is not maintainable.



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4. As such, this Writ Petition is dismissed, however, with a liberty to the petitioner to approach the appropriate authority under the *Tamil Nadu Co-operative Societies Act, 1983* for redressal of his grievance. There shall be no order as to costs.

03.04.2024

Index : yes
Speaking order/
Neutral Citation : no
grs

To

1. The Director,
Milk Production and Diary Development Department,
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Madavaram, Chennai,
Tamilnadu - 600 051.
2. The General Manager,
Erode District Cooperative,
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D.BHARATHA CHAKRAVARTHY, J.

grs

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