



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-02-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

**WP No.22881 of 2021
And
WMP No.24087 of 2021**

1.P.Murugesan

2.B.Philomin Paul Rajan

3.A.Jayanth

4.R.Prabu

5.T.Saravanakumar

.. Petitioners

-VS-

1.The Registrar of Cooperative Societies,
170, EVR Periyar Road,
N.V.Natarajan Maaligai,
Kilpauk,
Chennai-600 010.

2.The Managing Director,



Tamil Nadu Cooperative Union,
170, EVR Periyar Road,
N.V.Natarajan Maaligai,
Kilpauk,
Chennai-600 010.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first and second respondents to forthwith conduct the examination and to publish the results of the Jewel Appraiser Course, so as to enable the petitioners to avail future prospects on the basis of the representation dated 06.09.2021 followed by a reminder dated 11.10.2021.

For Petitioners : Mr.L.Chandrakumar

For Respondents : No Appearance

ORDER

The Writ of Mandamus has been instituted to direct the respondents 1 and 2 to conduct examination and publish the results of Jewel Appraiser Course, so as to enable the petitioners to avail the future prospects based on the representation submitted by them on 06.09.2021.



2. The petitioners states that they had undergone Jewel Appraiser Course in the second respondent Tamil Nadu Cooperative Union. After completion of the said Course, no examination was conducted. Therefore, the petitioners could not secure Certificate for the Course undergone by them. Thus the present writ petition came to be instituted by the petitioners.

3. The second respondent is the Tamil Nadu Cooperative Union, which is a Cooperative Society registered under the Tamil Nadu Cooperative Societies Act, 1983. Thus the second respondent- Tamil Nadu Cooperative Union is not a State within the meaning under Article 12 of the Constitution of India.

4. A person aggrieved from and out of the actions of the Cooperative Society has to exhaust the statutory remedy contemplated under the Cooperative Societies Act. The principles in this regard are settled by the larger Bench of this Court in the case of **K.Marappan vs. Deputy Registrar of Cooperative Societies, Namakkal Circle, Namakkal [(2006)**



4 CTC 689]. Thus the petitioners have to approach the Registrar by way of revision under Section 153 of the Tamil Nadu Cooperative Societies Act, 1983. In the event of filing any such revision, the Registrar shall dispose of the same on merits and in accordance with law as expeditiously as possible.

5. With the above directions, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

08-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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To

1.The Registrar of Cooperative Societies,



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170, EVR Periyar Road,
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Kilpauk,
Chennai-600 010.

2.The Managing Director,
Tamil Nadu Cooperative Union,
170, EVR Periyar Road,
N.V.Natarajan Maaligai,
Kilpauk,
Chennai-600 010.

S.M.SUBRAMANIAM, J.

Svn



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