



WEB COPY

WA.No.955 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 01.04.2025**

**CORAM**  
**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**  
**AND**  
**THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

**W.A.No.955 of 2025**  
**and**  
**CMP.No.7982 of 2025**

S.T.Rajeswari

... Appellant/Petitioner

**Vs.**

1. The Registrar of Co-operative Societies (Housing),  
Tamil Nadu Cooperative Housing Federation Campus (II Floor),  
No.48, Ritherdon Road, Vepery, Chennai.
2. The Deputy Registrar of Cooperative Societies (Housing),  
Vedhachalam Nagar, Chengalpattu Mandalam,  
Chengalpattu - 603 001.
3. The Special Officer,  
AU MIT Employee Cooperative House Building Society Limited,  
Anna University, M.I.T.Employees Co-operative Society (Housing),  
Chrompet, Chennai - 600 044. ... Respondents

**Prayer:** Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 24.10.2024 passed in W.P.No.28117 of 2024.

For Appellant

: Mr.S.Mukunth



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Senior Counsel  
for Mr.C.Suraj

For Respondents

: Mr.S.Ravikumar  
Special Government Pleader

### **JUDGMENT**

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

The intra-court appeal on hand has been instituted to assail the order dated 24.10.2024 passed in W.P.No.28117 of 2024.

2. The writ petitioner is the appellant before this Court.

3. The writ of mandamus has been instituted to direct the third respondent Co-operative Society to execute a Sale Deed in pursuance to the allotment made in favour of the appellant. Admittedly, the third respondent is a Co-operative Society registered under the provisions of the Tamil Nadu Co-operative Societies Act, 1983 and not a State within the meaning of Article 12 of the Constitution of India. Thus, no writ against Co-operative Society is entertainable, in view of the Judgment of the larger bench of this Court in the case of ***K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal*** reported in **2006 (4) CTC 689**.



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4. That apart, the relief sought is against the third respondent / Co-operative Society. The President or the Special Officer of the Society has to execute the Sale Deed, if at all the claim of the appellant is in consonance with the Act and Rules. Thus, the petitioner has to approach the competent Authority under the provisions of Tamil Nadu Co-operative Societies Act and only after exhausting alternate remedy which is efficacious, the aggrieved person has to approach the court of law. Thus, the writ petition itself is not entertainable. However, the observations made by the writ court would be of no avail to the petitioner to secure any relief from the hands of this Court.

5. Granting liberty to the petitioner to approach the competent Authority under Section 90 of the Tamil Nadu Co-operative Societies Act and thereafter, if aggrieved, under section 152 of the Tamil Nadu Co-operative Societies Act, the present writ appeal stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S,J.] [K.R.S,J.]  
01.04.2025

veda  
Index:Yes/No  
Speaking order/Non-speaking order  
Neutral Citation:Yes/No

To

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**AND**  
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