



WEB COPY

W.P.No.14810 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.14810 of 2019

and

W.M.P.No.10069 of 2021

S.Kunasekaran

... Petitioner

vs

1. The Deputy Registrar of Co-operative
Societies/ Managing Director,
S.607 Namakkal Agricultural Producers
Cooperative Marketing Society Ltd.,
No.69, Tiruchengode Road,
Namakkal.
2. Vanjinathan,
Managing Director/
Deputy Registrar of Co-operative
Societies/ Managing Director,
S.607 Namakkal Agricultural Producers
Cooperative Marketing Society Ltd.,
No.69, Tiruchengode Road,
Namakkal.



3. The Registrar of Cooperative Societies,
Kilpauk, Chennai – 600 010.

... Respondents

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Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the first respondent in his proceedings No. Nil, dated 29.04.2019 and quash the same and consequently directing the respondents to disburse the petitioner's retirement benefits and pass orders.

For Petitioner : Mr.K.T.S.Sivakumar
For Respondents : Mr.R.Bala Ramesh for R1 & R2
: Mr.K.Tamilvendan
Government Advocate for R3

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

2. This Writ Petition is filed aggrieved by the impugned order dated 29.04.2019 passed by the first respondent herein.



3. When the Writ Petition is taken up for hearing, learned counsel appearing on behalf of the respondent submitted that the petitioner has approached this Court straight away, without availing remedy of revision as provided under Section 153 of the Co-operative Societies Act; and that the larger bench of this Court in ***K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another reported in 2006 (4) CTC 689***, had held that society cannot be characterised as “State” within the meaning of Article 12 of Constitution of India, for it to be, amenable to writ jurisdiction of Article 226 of Constitution of India; and that the petitioner has to avail further remedies provided under that Act.

4. Learned Counsel further submitted that this Court also in W.P.No.17559 of 2019 order dated 23.10.2025, by taking a similar view relegated the petitioner therein, to avail remedy of revision provided under Section 153 of the Act, 1983.



5. Since, this Court is bound by the Larger Bench decision of this Court, also having regard to the similar view taken in W.P.No.17559 of 2019, this Court is of the view that the petitioner herein should be relegated to avail the remedy of revision provided under the Act, 1983.

6. Accordingly, this Writ Petition is disposed of, granting liberty to the petitioner to avail remedy of revision under the Act, 1983. However, taking note of the fact that on the first respondent passing the impugned order, the petitioner having approached this Court by the present Writ Petition, filed on 21.05.2019, and the same being pending on the file of this Court till today, this Court is of the view that in the event of the petitioner approaching the first respondent and filing revision application against the order passed by the first respondent dated 29.04.2019, within two weeks from the date of uploading of the order on the website of this Court, the first respondent shall entertain the Revision without taking objection as to the limitation, by excluding the time spent by the petitioner before this Court, in terms of



Section 14 of the Limitation Act. Consequently, connected Miscellaneous

Petition is closed. No costs.

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19.11.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

dh

To

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T. VINOD KUMAR, J.

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