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W.P.(MD)NO.13561 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13561 of 2023 AND
W.M.P.(MD)Nos.11439 & 11440 of 2023

1. V.Sivaraman

2. V.Nehru

3. V.R.Rajsekaran

4. G.Ganesan

5. V.Kumar

6. K.Selvaraj

7. R.Jeyaraman

8. M.Dayanithi

9. M.Kalyanasundaram

10. S.Sivaoli

11. G.Natarajan

12. N.Ravi

... Petitioners

Vs.



The Joint Registrar / Managing Director,
Kumbakonam Central Cooperative Bank,
TSR Big Street, Valayapettai Agraharam,
Kumbakonam,
Thanjavur District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings bearing Na.Ka.No.6708/2022/D1 dated 16.05.2023 issued by the respondent and quash the same.

For Petitioners : Mr.M.Gnana Guru Nathan,
for Mr.K.Samidurai

For Respondent : Mr.D.Shanmugaraja Sethupathy

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ORDER

Heard the learned counsel appearing for the petitioners and the learned Standing counsel appearing for the respondent.

2. The petitioners are working as jewel appraisers. By the impugned proceedings they had been transferred. Questioning the same, the present writ petition has been filed.



3. The issue on hand is no longer *res integra*. The Hon'ble Apex Court in the decision reported in **1992 SCC (3) 323 (Management of Puri Urban Cooperative Bank V. Madhusudan Sahu and Another)** had held that the jewel appraisers are not holding transferable posts. The said position will apply in the case of jewel appraisers who are working in cooperative banks also.

4. My attention is drawn to the order dated **10.03.2023** made in **W.P.(MD)No.16174 of 2020 (K.Pitchumani and Others V. The Joint Registrar / Managing Director, Tuticorin District Central Cooperative Bank, Tuticorin)**. In the said decision, I had referred to the direction of the registered cooperative societies that the jewel appraiser cannot be allowed to work in the very same branch for more than three years. I had therefore held that the petitioner and the management will have to re-negotiate and re-work the terms of engagement. The matter was listed for admission on 09.06.2023. Today when the matter was taken up for final disposal, the learned Standing counsel submitted that the impugned order has been cancelled.



5. In view of the subsequent development, nothing survives for further adjudication. This writ petition stands disposed of accordingly.

No costs. Consequently, connected miscellaneous petitions are closed.

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12.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

The Joint Registrar / Managing Director,
Kumbakonam Central Cooperative Bank,
TSR Big Street, Valayapettai Agraharam,
Kumbakonam,
Thanjavur District.



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G.R.SWAMINATHAN,J.

PMU

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