

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.22919 of 2015 and
M.P.No.1 of 2015

P.Chitra

...Petitioner

vs.

1.The Deputy Registrar,
Co-operative Societies,
Tiruvannamalai, Tiruvannamalai District.

2.The President,
H.H.482, Vallivagai Agricultural
Co-operative Credit Society Ltd.,
Tiruvannamalai.

3.Malathy

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the 1st and 2nd respondents to revert the 3rd respondent as sub-staff, category V in the 2nd respondent society in accordance with the order dated 30.07.2014 on the file of 1st respondent and by considering the representation dated 10.07.2015.

For Petitioner : Mr.G.Rajan

For Respondents : Mr.E.M.S.Natarajan for R1
Mr.L.P.Shanmugasundaram
Special Govt.Pleader for R2
Mr.K.Rajendran for R3

O R D E R

The petitioner was appointed as Fertilizer Sales Woman under Category IV of the Special Bye-laws, whereas, the third respondent was appointed as Sub-staff under Category V of the Special Bye-laws under the 2nd respondent society. Admittedly, the post under Category V is lower than the post under Category IV.

2. While so, in the year 2014, when the third respondent was promoted as Junior Clerk under Category IV, the petitioner questioned the same by filing petition under Section 90 of the Tamil Nadu

Cooperative Societies Act, before the Deputy Registrar of Cooperative Societies. In my view, the petitioner should have filed petition under Section 153 of the Tamil Nadu Cooperative Societies Act. In any event, the application of the petitioner was rejected. The same was also not challenged.

3. Furthermore, it is not the case of the petitioner that she was downgraded from Category IV to Category V. The learned counsel for the petitioner is also not able to state as to how the petitioner is aggrieved over the promotion given to the third respondent under Category IV.

4. In view of the above, I do not find any merit in the writ petition. The writ petition fails and accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

svki

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Deputy Registrar,
Co-operative Societies,
Tiruvannamalai, Tiruvannamalai District.

2.The President,
H.H.482, Vallivagai Agricultural
Co-operative Credit Society Ltd.,
Tiruvannamalai.

+ 1 cc to Mr.G.Rajan, Advocate SR 38834

+ 1 cc to Govt.Pleader SR 39324

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