

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36512 of 2015

S.Amsa

...Petitioner

Vs.

1.The Joint Registrar of
Co-operative Societies,
(Public Distribution System),
Opposite to Kancheepuram Collectorate,
Kancheepuram District,
Kancheepuram.

2.The Deputy Registrar of
Co-operative Societies,
(Public Distribution System),
Madurantagam,
Kancheepuram District,
Kancheepuram.

3.The President,
Thonnadu Primary Agricultural
Credit Society (G2289),
Thonnadu,
Madurantagam Taluk,
Kancheepuram District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to forbear the first respondent to pass appropriate orders on the Appeal petition submitted by the petitioner under Section 153 of the Tamil Nadu Co-operative Societies Act, 1993 dated 19.10.2015 within a reasonable period.

For Petitioner : Mr.T.Ranganathan
For Respondents
1 and 2 : Mr.D.Venkatachalam, G.A
For 3rd Respondent : Mr.R.Balaraman,
Additional Govt. Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2. According to the petitioner, she was appointed as Sales Woman in the Stores run by the Thonnadu Primary Agricultural Credit Society. She is suffering from lungs problem and as per the advice of the Doctor, she made a representation to the President of the said Society to post her as an Attender in the office. Since it was not considered, she approached the first respondent and as per the order of the first respondent, the petitioner was posted as Record Clerk in the Society from 22.04.2015.

3. The petitioner alleged that the President of the Society passed an order dated 30.04.2015 posting her again as Sales woman in the Stores and she was also compelled to tender resignation letter to the President. So, she gave her resignation letter on 20.06.2015 and thereafter, sent a letter by Speed Post to the third respondent on 26.06.2015 seeking to withdraw her resignation and sought his permission for rejoining the duty. But, the third respondent refused to receive the letter sent by Speed Post. Aggrieved by the action of the third respondent, the petitioner preferred an appeal before the first respondent on 19.10.2015, which is not yet considered. Hence, the present writ petition.

4. Heard the submission of Mr.T.Ranganathan, learned counsel appearing for the petitioner and Mr.D.Venkatachalam learned Government Advocate appearing for the first and second respondents and Mr.R.Balaraman, learned Additional Government Pleader appearing for the third respondent.

5. The learned Government Advocate appearing for the first and second respondents would submit that the petitioner has not presented the appeal in a proper form and she may be directed to file an appeal in proper form and the same will be considered by the first respondent.

6. This Court, in the light of the above facts and circumstances, permits the petitioner to file an appeal in proper form before the first respondent within a period of two weeks from the date of receipt of a copy of the order. The first respondent, on receipt of the same, is directed to dispose of the appeal on merits and in accordance with law within a period of four weeks thereafter and communicate the decision taken by him, to the petitioner.

7. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cla

To

1.The Joint Registrar of
Co-operative Societies,
(Public Distribution System),
Opposite to Kancheepuram Collectorate,
Kancheepuram District, सत्यमेव जयते
Kancheepuram.

2.The Deputy Registrar of
Co-operative Societies,
(Public Distribution System),
Madurantagam,
Kancheepuram District,
Kancheepuram.

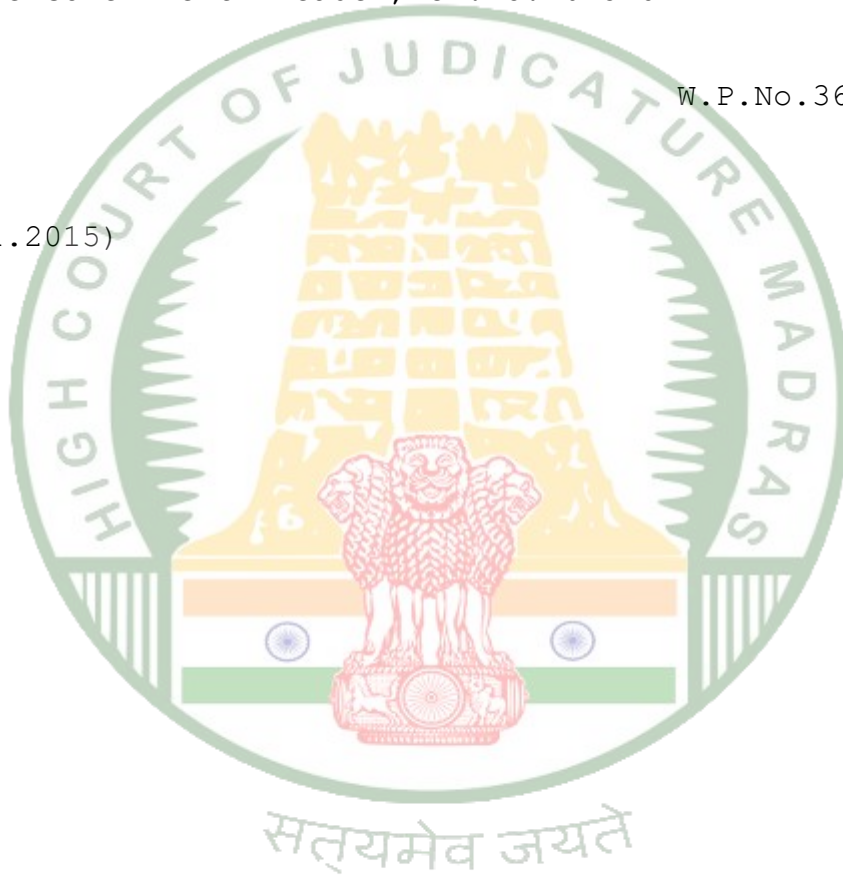
3.The President,
Thonnadu Primary Agricultural
Credit Society (G2289),
Thonnadu,
Madurantagam Taluk,
Kancheepuram District.

1 CC to Mr.T.Ranganathan, Advocate SR.No. 62065

1 CC to the Government Pleader, SR.No. 62328

W.P.No.36512 of 2015

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PSI (23.11.2015)



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