



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2015

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.18242 of 2015

and

M.P. (MD) .Nos.1 and 2 of 2015

M.Subbulakshmi

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary to Government,
Co-operative Food and Consumer Protection Department,
Chennai.

2.The Registrar,
O/o.The Registrar of Co-operative Societies,
Kilpauk, Chennai-10.

3.The Joint Registrar,
Co-operative Societies,
Theni Division,
Theni District.

.. Respondents

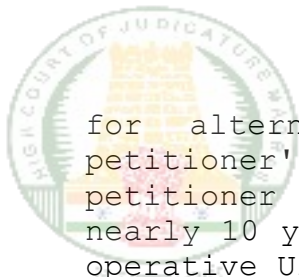
PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent in his proceedings in R.C.No.11743/2015/UB3 dated 07.04.2015 and quash the same as illegal and consequentially to direct the respondents to pass appropriate order to absorb the petitioner as Assistant Manager in any one of the Co-operative Banks within the period, that may be stipulated by this court.

For Petitioner ... Mr.K.Ponniah for
M/s.Ajmal Associates

For Respondents ... Mr.T.R.Janarthanan
Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed challenging the impugned order dated 07.04.2015 passed by the second respondent, the Registrar, The Registrar of Co-operative Society wherein the request of the petitioner



for alternative employment was refused on the ground that the petitioner's past service record was not satisfactory and further, the petitioner has claimed for alternative employment only on 26.05.2011 nearly 10 years after she was relieved from the services of the Theni Co-operative Urban Bank (Liquidated).

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2.By consent, this Writ Petition is taken up for hearing at the stage of admission itself.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents.

4.The learned counsel for the petitioner submitted that though the petitioner's past service record was not satisfactory, the respondents ought not to have rejected the request of the petitioner for alternative employment. This argument does not carry any merit, the reason is that the petitioner was the former employee of Theni Co-operative Urban Bank, after cancellation of the license issued to the said bank by order dated 24.12.2002 passed by the Joint Registrar of Co-operative Societies, Theni and a liquidator was appointed for the purpose of winding up of the said bank. Thereafter, the liquidator also relieved all the 11 employees worked in Theni Co-operative Urban Bank at the time of liquidation from the service of the bank with effect from 17.01.2003. Whereas, out of these 11 past employees of the Theni Co-operative Urban Bank (Liquidated), only five employees had sent their applications requesting for alternative employment in other nearby Co-operative Societies in Theni District, they are Thiru.S.Subramanian Ex-Secretary, Thiru M.Govindaraj Ex-Junior Assistant, Thiru A.Natarajan Ex-Manager, Thiru. S.Sekar Ex-Senior Assistant, Thiru K.Velmurugan Ex-Assistant. Since, the petitioner has kept quite for about 10 years, without claiming any alternative employment, admittedly, there is a claim for alternative employment only on 26.05.2011. Nearly 10 years after she was relieved from the services of the Theni Co-operative Urban Bank (Liquidated), hence, the request of the petitioner has been refused.

5.In view of the fact that the Theni Co-operative Society Urban Bank was Liquidated by order dated 24.12.2002 passed by the Joint Registrar, Registrar of Co-operative Society and also for the reason that the petitioner's service record was not even satisfactory this Court is not inclined to grant the prayer as sought for by the petitioner in this writ petition. Hence, this writ petition is dismissed on the ground of huge delay. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar



To

1.The Secretary to Government,
State of Tamil Nadu,
Co-operative Food and Consumer Protection Department,
Chennai.

2.The Registrar,
O/o.The Registrar of Co-operative Societies,
Kilpauk, Chennai-10.

3.The Joint Registrar,
Co-operative Societies,
Theni Division,
Theni District.

+1cc to M/S.Ajmal Associates, Advocate SR.No.59483

+1cc to The Special Government Pleader, Madurai. SR.No.59763

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