

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31435 of 2016

T.Selladurai

... Petitioner

Vs.

1.The Registrar of Co-operative Societies,
N.V.N.Maligai, E.V.R.Salai,
Kilpauk, Chennai-600 010.

2.The Joint Registrar of Co-operative Societies,
Nagapatinam, No.303, 3rd Floor,
Collector Office, Nagapatinam.

3.A.Rajkumar, Sales Man,
S/o.Anjappan,
ZA76, Thirupoondi Primary
Agricultural Co-operative Bank,
Thirupoondi Post, Nagapatinam District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 2nd respondent to dispose the Review Application dated 10.07.2015 filed under Section 154 of Tamil Nadu Co-operative Societies Act, 1983 and allow the petitioner to continue in the promoted post as Attender and entitle the petitioner with all consequential service and monetary benefits.

For Petitioner : Mr.S.Aparna

For respondents : Mr.L.P.Shanmugha Sundram, Spl. GP

ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the 2nd respondent to dispose the Review Application dated 10.07.2015 filed under Section 154 of Tamil Nadu Co-operative Societies Act, 1983 and allow the petitioner to continue in the promoted post as Attender and entitle the petitioner will all consequential service and monetary benefits.

2.It is stated by the petitioner that initially on 01.08.1997, the petitioner was appointed as Salesman in the respondent-Cooperative Societies by proceeding in Na.Ka.No.1853/2006SF, and posted at ZA 76 Thirupoondi Primary Agricultural Co-operative Bank. Subsequently, the petitioner was promoted to the post of Attender on 30.12.2013 based on his experience. But, subsequently, the petitioner's promotion was challenged by another salesman by way of an application dated 06.06.2014. Pursuant to the same, the 2nd respondent has cancelled the petitioner's promotion by his proceedings dated 24.02.2015 in Na.Ka.No.2750/2014A3. Challenging the same, the petitioner has filed a Review Application dated 10.07.2015 under Section 154 of Tamil Nadu Cooperative Societies Act, 1983, to the 2nd respondent. Since the petitioner's Review Application was not considered, the petitioner has come forward with the present writ petition.

3.Though very many contentions have been raised in the affidavit, when the matter is taken up for consideration, the learned counsel for the petitioner submitted that the Review Application dated 10.07.2015 filed by the petitioner is pending with the 2nd respondent and if a direction is given to the 2nd respondent to dispose of the said Review Application of the petitioner, it would suffice.

4.Heard the learned Special Government Pleader also and perused the materials available on record.

5.In view of the submission made by the learned counsel appearing for the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the 2nd respondent to consider the Review Application dated 10.07.2015 preferred by the petitioner and to pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

No costs.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

SSV

To

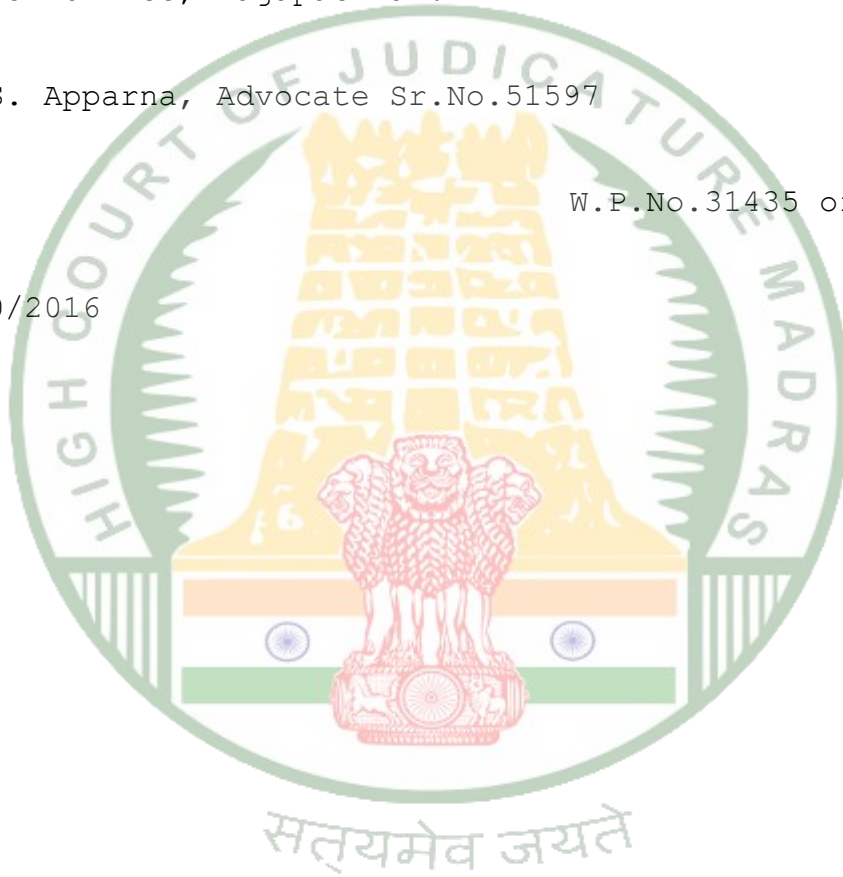
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+1 CC to S. Apparna, Advocate Sr.No.51597

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NR (CO)
MD : 20/10/2016



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