

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.12.2016

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.43553 of 2016

and W.M.P.No.37376 of 2016

Sabhanathan

... Petitioner

-Vs-

1. The Joint Registrar of Cooperative Societies,
Villupuram Region,
Villupuram.
2. The Deputy Registrar of Cooperative Societies,
Villupuram Circle,
Villupuram.
3. The Deputy Registrar/Managing director
of Cooperative Urban Bank Ltd.,
Villupuram Circle,
No.149, Thiur.Vi.Ka. Road,
Villupuram - 605 602

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to dispose the petitioner's appeal dated 03.11.2016 and consequently direct the 2nd respondent to promote the petitioner as Assistant Manager.

For Petitioner : Mr.I.Karthikga

For Respondents :Mr.L.P.Shanmugasundaram, Spl.G.P.
(Co.op.)

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner would state that he was appointed as a watchman in the Co-operative Department on 21.04.1986 and posted at Villupuram. After joining service, he completed S.S.L.C. qualification during 1987 and also passed Diploma in Cooperative Course in the year 1992 and got promoted as Assistant on 07.07.1995. The petitioner would further state that

the 2nd respondent prepared the panel list for promotion to the post of Manager on 19.09.2008 and as per the list, the total employees were 53 and they come under the categories of I to VI. The petitioner is at Serial No.8 of Category V. It is the case of the petitioner that one C.Ravi who was appointed as Appraiser in 1992 after completion of Diploma in Co-operative Training, was promoted as Assistant Manager on 14.01.2012 and the petitioner is also similarly placed.

3. The grievance expressed by the petitioner is that instead of promoting him as Assistant Manager, the persons who are juniors to him were given promotion as Assistant Manager and the details of which are enumerated in paragraph No.8 of the affidavit. It is relevant to extract the same as under.

Name of the Person	Date of Appointment	Post of Appointment	Co-operative Course completion	Promoted as
C.Ravi	11.06.1982	Appraiser	2007	14.12.2012 Assistant Manager 05.11.2014 Manager
Vinayagam	10.04.1996	Junior Assistant	1996	14.12.2012 Assistant Manager 05.11.2014 Manager
Jayaraman	10.04.1996	Junior Assistant	1996	14.12.2012 Assistant Manager November 2015
A.Kumar	08.04.1996	Appraiser	2007	14.12.2012 Assistant Manager 05.11.2014 Manager
A.Dhandapani	10.04.1996	Typist	2007	05.11.2014 Assistant Manager pending section 153 appeal he got promotion as Manager

Name of the Person	Date of Appointment	Post of Appointment	Co-operative Course completion	Promoted as
R.Ranganathan	12.04.1996	Appraiser	2007	05.11.2014 Assistant Manager

4. Mr.L.Karthikga, learned counsel appearing for the petitioner has drawn the attention of the court to the affidavit as well as the typed of papers and would submit that since the claim of the petitioner for promotion as Assistant Manager was unjustly being overlooked, he submitted a revision to the first respondent and it was returned on 09.02.2015 on the ground that the original documents having not been enclosed and the petitioner has represented the same on 03.11.2016 and despite receipt and acknowledgement, no orders have been passed and therefore, the petitioner is constrained to approach this Court by filing the writ petition.

5. This Court heard Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to entertain the revision petition dated 03.11.2016 filed by the petitioner, if the papers are otherwise in order, and after providing the petitioner, an opportunity of personal hearing shall pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi

To

1. The Joint Registrar of Cooperative Societies,
Villupuram Region,
Villupuram.

2. The Deputy Registrar of Cooperative Societies,
Villupuram Circle,
Villupuram.

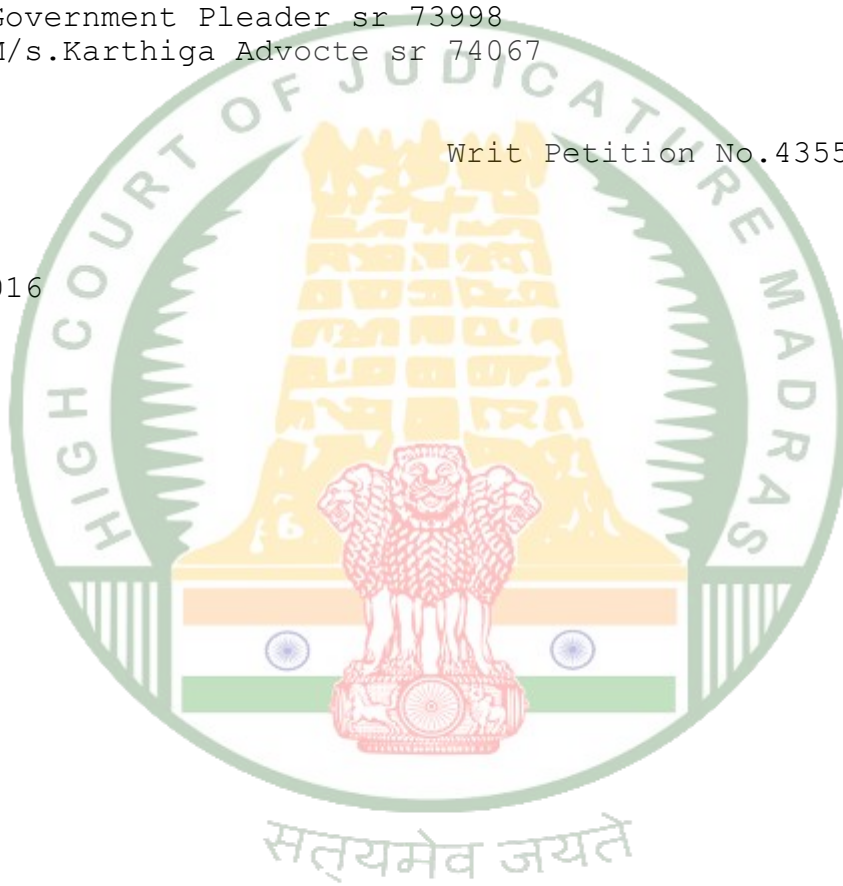
3. The Deputy Registrar/Managing director
of Cooperative Urban Bank Ltd.,
Villupuram Circle,
No.149, Thiur.Vi.Ka. Road,
Villupuram - 605 602

+1 cc to Government Pleader sr 73998

+1 cc to M/s.Karthiga Advocates sr 74067

Writ Petition No.43553 of 2016

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