

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.754 of 2016

K.Karthikeyan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary,
Cooperation, Food & Consumer
Protection,
Fort St. George,
Chennai - 600 009.

2. The Registrar of Co-operative Societies,
N.V.N.Maligai,
170, EVR Periyar Salai,
Kilpauk, Chennai - 600 010.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the 1st respondent to consider the appeal memorandum dated 03.08.2015 seeking promotion as Co-operative Sub-Registrar on par with junior on merit.

For petitioner : Mr.L.Chandra Kumar

For respondents : Mrs.T.P.Savitha,
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking a direction to the first respondent to consider the appeal memorandum dated 03.08.2015, by promoting him as Co-operative Sub-Registrar on par with his junior on merits.

2. The case of the petitioner is as follows:

The petitioner was initially appointed as Junior Inspector of Co-operative Societies. Subsequently, he was promoted as Senior Inspector of Co-operative Societies in

Villupuram District, on 01.05.2007. Thereafter, he made an appeal/representation to the Joint Registrar, Villupuram, seeking inclusion of his name in the panel drawn for promotion to the post of Sub Registrar. The Joint Registrar, Villupuram stated that he must complete three years of service in the category of Senior Inspector, therefore, his name could not be recommended.

3. According to the petitioner, as on 01.05.2011, his co-worker was promoted as Co-operative Sub-Registrar. Hence, the petitioner made an appeal/representation dated 03.08.2015 to the respondents, seeking to promote him as Co-operative Sub-Registrar on par with his co-worker. The said appeal/representation has not been considered till date. Hence, the petitioner has come forward with the present petition.

4. The learned counsel appearing for the petitioner submitted that the petitioner would be satisfied, if the respondents are directed to consider the appeal/representation made by him on 03.08.2015 on merits and in accordance with law.

5. The learned Government Advocate would submit that at the time of preparation of panel, he was not eligible to the post of Co-operative Sub-Registrar, as he has not completed three years of service in the category of Senior Inspector as on 01.05.2010. However, in view of subsequent development, the first respondent would consider the appeal of the petitioner dated 03.08.2015, on merits.

6. In view of the submission made by the learned Government Advocate, the first respondent is directed to consider the petitioner's appeal/representation dated 03.08.2015 and pass orders on merits and in accordance with law, as expeditiously as possible.

7. With the above direction, the present writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Cooperation, Food & Consumer
Protection,
Fort St. George,
Chennai - 600 009.
2. The Registrar of Co-operative Societies,
N.V.N.Maligai,
170, EVR Periyar Salai,
Kilpauk, Chennai - 600 010.

+1cc to Mr.L.Chandra Kumar, Advocate, S.R.No.31134
+1cc to the Government Pleader, S.R.No.31543

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PVS (CO)
CA(23/07/2016)



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