



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P (MD) .No.9752 of 2016

A. Shanmugam ... Petitioner
Vs.

1. The Deputy Registrar of Co-operative Societies,
Dindigul Taluk & District.

2. The President,
Madur Primary Agricultural Co-operative Credit
Society Ltd,
Dindigul Taluk & District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of mandamus directing the respondents to issue notice in challenging the order in Na.Ka.No.029/2016/Sa.Pa.dated 13.05.2016 of Joint Registrar of Co-operative Societies, Dindigul.

For petitioner : Mr.K.Baalasundharam
For R.1 : Mr.T.R.Janarthanam
Government Advocate

For R.2 : Mr.D.Muruganandam

ORDER

The petitioner seeks for a mandamus directing the respondents to issue notice to the petitioner in the event of their challenging the order in Na.Ka.No.029/2016/Sa.Pa., dated 13.05.2016, of the Joint Registrar of Co-operative Societies, Dindigul.

2. The case of the petitioner is that, after being appointed as Clerk in the second respondent Co-operative Society, his services were regularised by the Joint Registrar of Co-operative Societies, Dindigul. However, the respondents orally directed the petitioner to serve as Salesman. Subsequently, the Special Officer of Madur Co-operative Society recommended the petitioner for promotion to the post of Secretary of Madur Co-



operative Society, but, the said recommendation is not implemented till date. In the meanwhile, on 21.12.2015, the second respondent reverted the petitioner from the post of Clerk to that of Salesman. Aggrieved by the order of reversion, the petitioner filed a revision petition before the Joint Registrar of Co-operative Societies, Dindigul, who, by proceedings dated 13.05.16, allowed the Revision and set aside the order of reversion passed by the second respondent.

3. Now, it is the grievance of the petitioner that the respondents are taking steps to file a Writ Petition before this Court as against the order of the Joint Registrar of Co-operative Societies, Dindigul, by suppressing material facts and thereby, they may attempt to obtain an *ex parte* order against the petitioner. It is averred by the petitioner that since caveat cannot be filed in Writ proceedings, as a precautionary measure, he has preferred this Writ Petition, with the relief as stated above.

4. As on date, of course, there is no provision to lodge caveat in writ proceedings. But, on that score, a blanket direction, as sought for by the petitioner, cannot be issued, since it is not known whether the respondents, in fact, are going to file any writ petition against the interest of the petitioner. Inasmuch as the present petition is based on mere surmises and conjecture, I am not inclined to entertain the same.

5. Consequently, the Writ Petition is dismissed, but, there will be no order as to costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Deputy Registrar of Co-operative Societies,
Dindigul Taluk & District.

2.The President,
Madur Primary Agricultural Co-operative Credit Society Ltd,
Dindigul Taluk & District.

+1cc to Special Government Pleader in SR.No.28739
+1cc to M/s.K.Baalasundaram, Advocate in SR.No.28592

SDR/SKS-RR/23.06.2016/2P/5C

W.P (MD) .No.9752 of 2016
07.06.2016