

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 05.01.2017

DELIVERED ON: 11.01.2017

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

W.P. No.17292 of 2003

K. Kasthurirangan

Petitioner

vs.

The Deputy Registrar
Special Officer

The Thyagarayanagar Cooperative Bank Ltd.
No.5, Doraisamy Road
T. Nagar, Chennai 600 017

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to the order passed in Na.Ka.No.1/2002 DR/SO dated 22.05.2002 passed by the respondent herein and quash the same and further, direct the respondent to reinstate the petitioner and to give all other monetary and service benefits from the date of termination.

For petitioner Mr. A. Thirumurthy

For respondent Mr. T. Girija
Government Advocate (Cooperative)

ORDER

This writ petition has been filed challenging order dated 22.05.2002 passed by the respondent herein and quash the same and direct the respondent to reinstate the petitioner and to give all other monetary and service benefits from the date of termination.

2 Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

3 The petitioner joined the respondent bank as Apprentice on 21.03.1996 for a period of one year and thereafter, her Apprenticeship was continued from time to time. However, she was not permitted to work from 22.05.2002, pursuant to the order of

even date passed by the respondent on the ground that she was not a regular appointee in accordance with the rules, impugning which, this writ petition is filed.

4 Admittedly, the petitioner was not appointed via regular channels. Her appointment was a back door entry which has been frowned by the Supreme Court in State of Karnataka and others Vs. Uma Devi [2006 (4) SCC 1].

5 Further, the relief claimed by the petitioner is only against the co-operative bank and not against any statutory order passed by any authority or revisional authority.

6 This matter is squarely covered by a 5-Judge Bench judgment of this Court in K. Marappan vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal-636 001 and another [2006 (4) CTC 689] and also by the judgments of three Full Benches of this Court in (1) A.S. Subramani vs. Deputy Registrar of Co-operative Societies, Tindivanam Region [2006 (4) CTC 444], (2) T.K. Ananda Sayanan vs. Joint Registrar of Co-operative Societies, Vellore Region [2007 (5) CTC 1] and (3) R.Radhakrishnan vs. Deputy Registrar of Co-operative Societies, Dindigul [2007 (4) LLN 868] and also a Division Bench judgment of this Court in T.N. Vatta Kooturavu Veettu Vasathi Sangangalin Anaithu Paniyalargal Madya Sangam vs. Deputy Registrar of Co-operative Societies, Cuddalore and others [2008 (2) LLN 236].

Since this writ petition is squarely covered by the binding precedents of this Court, as referred to above, this writ petition stands dismissed. Costs made easy.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cad

To
The Deputy Registrar
Special Officer
The Thyagarayanagar Cooperative Bank Ltd.
No.5, Doraisamy Road
T. Nagar, Chennai 600 017

+1cc to Mr.R.Rengaramanujam, Advocate sr.2646

ksj(co)
ss(2/2/2017)

Pre-delivery order in
W.P. No.17292 of 2003