

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2017

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.18617 of 2004

M.Naveen Kumar

... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies, Salem Circle, Salem.

2. S.S.64, S.Kadathur Primary Agricultural Co-operative Bank Limited rep. by its Special Officer, Chinna Seeragapadi Post, Salem District-636 308.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to India for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order of the 2nd respondent dated 01.04.2004 and quash the same and direct the 1st respondent to forthwith conduct enquiry in order to regularise the service of the petitioner.

For Petitioner

: Mr.K.Selvaraj

For 1st Respondent

: Mr.V.Selvaraj,
Additional Government Pleader

For 2nd Respondent

: Mr.S.Gomathinayagam

ORDER

The petitioner was formerly an Attender in the 2nd respondent Co-operative Bank governed by the Tamil Nadu Co-operative Societies Act and he has worked continuously for more than 480 days. While this being the position, the Government vide G.O.Ms.No.86 dated 12.03.2001 directed the co-operative societies to regularise the services of the employees who have been appointed during the period from 9.7.1980 to 11.3.2001. According to the petitioner, since he has complied with the conditions of Rule 149 of the Tamil Nadu Co-operative Societies Rules, 1988, he is also entitled to the benefit of the said Government Order. But the 2nd respondent by order dated 01.04.2004 made it clear that the appointment of the petitioner could not be regularised. Challenging the same, the petitioner is before this Court with this Writ Petition.

2. In view of the law laid down by this Court in **K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another** reported in **2006 (4) CTC 689**, this Writ Petition as against the 2nd respondent is not maintainable.

3. In view of the same, the Writ Petition is dismissed as not maintainable with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

24.08.2017

Index : Yes/No
Internet : Yes/No
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To

1. The Deputy Registrar of Co-operative Societies, Salem Circle, Salem.
2. The Special Officer,
S.S.64, S.Kadathur Primary Agricultural
Co-operative Bank Limited,
Chinna Seeragapadi Post,
Salem District-636 308.



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M.DHANDAPANI, J.

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