

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

W.P.No.31131 of 2018

and W.M.P.No.36836 of 2018

R.Jayaraman

... Petitioner

versus

1. The Secretary,
UCO Bank Employees Co-operative
Thrift & Co-operative Society Ltd.,
No.328, Thambu Chetty Street,
Chennai - 600 001.
 2. The President,
UCO Bank Employees Co-operative
Thrift & Co-operative Society Ltd.,
No.328, Thambu Chetty Street,
Chennai - 600 001.
 3. The Central Registrar Co-operative Societies,
Department of Agriculture and Co-operation,
Krishi Bhawan,
New Delhi - 110 001.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, to call for the records relating to the impugned communication letter dated 30.12.2017 issued by the respondents Nos.1 and 2 and to quash the same and to direct the respondent Nos.1 and 2 to reinstate the petitioner with effect from 01.01.2018.

For Petitioner : Mr.B.Srikrishnan
For Respondents: Mr.Karunakaran,
Standing Counsel for R1 and R2
Mr.K.Ramanamoorthy, CGC for R3

ORDER

This writ petition has been filed by the petitioner, who was the Junior Assistant of UCO Bank Employees Co-operative Thrift & Co-operative Society Ltd., claiming that the action of the respondents in sending him out at the age of 58 years is arbitrary.

2. The learned counsel appearing for the respondents produced a copy of the Regulations governing the service conditions of Employees of the UCO Bank Employees' Co-operative

Thrift & Credit Society Ltd.,

3. Under clause 52(1) of the said Regulation, the retirement age of the employee is 58 years and the only categories, which are permitted extension of service, are Peons, Sweepers and Watchmen till 60 years. The said clause 52 (1) of the said Regulation is extracted hereunder for convenient reference:

"52.1. No employee shall continue in service of the society if he has attained the age of 58 years. However, the age of retirement for the employees of inferior service like peons, sweeper and watchman shall be sixty years. The age of retirement of the employees shall be on the afternoon of the last day of the month in which they attain the age of superannuation."

4. From the above Regulation, it is clear that the petitioner cannot make such claim, as he does not fall within the designated posts as provided for in the Regulation. According, the writ petition being devoid of merits is dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
UCO Bank Employees Co-operative
Thrift & Co-operative Society Ltd.,
No.328, Thambu Chetty Street,
Chennai - 600 001.

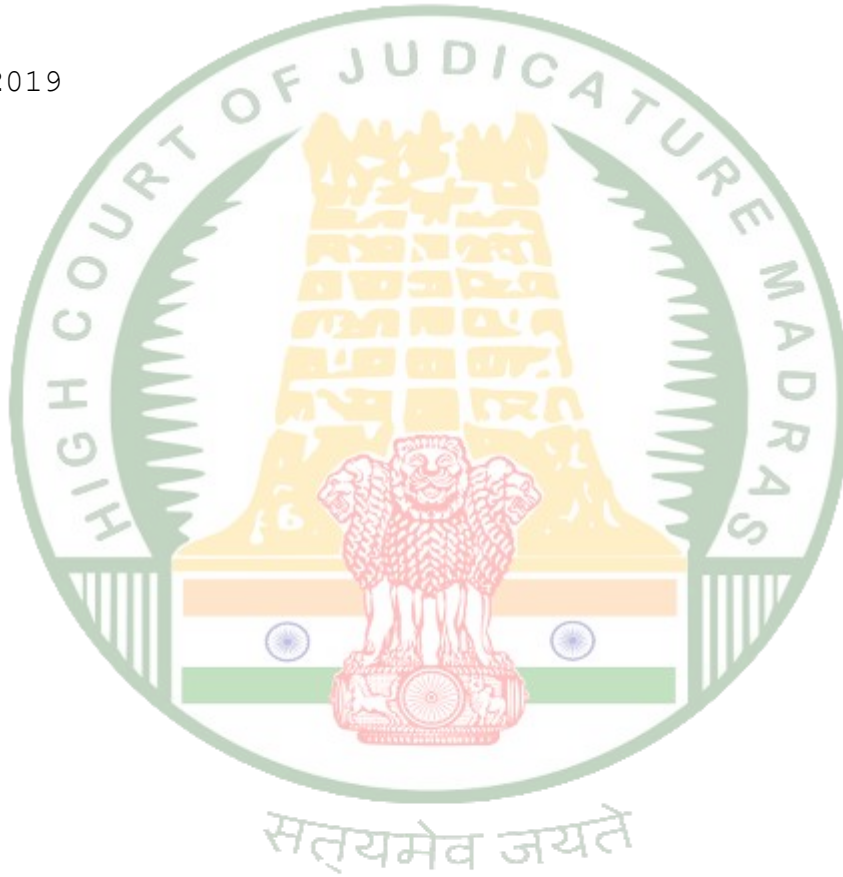
2. The President,
UCO Bank Employees Co-operative
Thrift & Co-operative Society Ltd.,
No.328, Thambu Chetty Street,
Chennai - 600 001.

3. The Central Registrar Co-operative Societies,
Department of Agriculture and Co-operation,
Krishi Bhawan,
New Delhi - 110 001.

+1cc to Mr.Karunakaran, Advocate sr.no.84274
+1cc to Mr.K.Ramanamoorthy, Advocate sr.no.84209
+1cc to Mr.B.Srikrishnan, Advocate sr.no.84255

W.P.No.31131 of 2018

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nr 06/02/2019



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