



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.5800 of 2011

and

M.P(MD) Nos.1 & 2 of 2011

M.Sakthivel

... Petitioner

-vs-

1. The Joint Registrar of Co-operative Societies,
Dindigul Region,
Dindigul.

2. The Special Officer,
M.D.107, Tamil Nadu State Transport
Corporation Employees'
Co-operative Thrift & Credit Society Ltd.,
138(1) Railway Station Road,
Nagal Nagar,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records from the first respondent relating to the impugned order dated 26.05.2011 in NaKa 1126/2011 Povithi-1 quash the same in so far as transferring the petitioner on deputation from the second respondent society to the Dindigul Co-operative Marketing Society to work as Salesman in fair price shop and consequently to direct the first respondent not to disturb to his services in the second respondent society.

For Petitioner

: Mr.S.Arunachalam

For Respondents

: Mr.V.S.M.Vaishnavi,
Government Advocate

O R D E R

The order deputing the writ petitioner to the Second respondent society is under challenge in this writ petition. However, in respect of such deputation, the Registrar of Co-operative Societies issued Circular No.16/08, dated 17.06.2008. Clause (I) of the guidelines of the Registrar of Co-operative Societies states that "A Society deputing It's employee to another society shall invariably specify all the terms and conditions of such deputation. The deputation shall be for a period of not less than one year but shall not exceed three years in the aggregate".



2.Thus, it is very clear that the deputation cannot exceed three years in the aggregate. Now, the period of three years also completed and it was informed to this Court that the writ petitioner is continuing in the same society by virtue of the Interim Order already granted in this writ petition.

3.In these view of the fact, no further adjudication needs to be undertaken in respect of deputation order. All other further proceedings shall be issued only in accordance with the Rules in force.

4.Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar of Co-operative Societies,
Dindigul Region,
Dindigul.
2. The Special Officer,
M.D.107, Tamil Nadu State Transport
Corporation Employees'
Co-operative Thrift & Credit Society Ltd.,
138(1) Railway Station Road,
Nagal Nagar,
Dindigul District.

+1cc to Mr.S.Arunachalam, Advocate Sr.No.42048

AM

VB/KK/SAR2/30.01.2018/2P/4C

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