

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.39672 of 2004

And

W.P.M.P.Nos.47300 to 47303 of 2004

1.R.Narayanan
2.C.Ambrose

... Petitioners

Vs.

1.The Joint Registrar,
Perambalur Zone Co-operative Societies,
Perambalur District.

2.The Special Officer,
R.6671, Kullamanickkam Primary Agriculture
Co-operative Bank,
Kulamanickkam,
Ariyalur Taluk,
Perambalur District.

3.The Special Officer,
R-4074 Elanthakudam Primary Agriculture
Co-operative Bank,
Elanthakudam,
Ariyalur Taluk,
Perambalur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records of the
1st respondent having Ref.Na.Ka.No.2485/2004/Public Distribution

Scheme, dated 25.11.2004 and quash the same in so far as it directs the transfer of the ration shops from R.6671, Kulamanickam Primary Agriculture Co-operative Bank the 2nd respondent herein to the R-4074, Elanthakudam Primary Agriculture Co-operative Bank, the 3rd respondent herein, without the salesman and consequently direct the 3rd respondent to continue to engage the services of the petitioners as Salesmen of the ration shops on the same service conditions under which their were recruited initially with continuity of service and all other monetary benefits.

For Petitioners : Mrs.C.Uma
for M/s.L.S.M.Hasan Fizal
For Respondents : Mr.D.Venkatachalam
Additional Government Pleader

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent having Ref.Na.Ka.No.2485/2004/Public Distribution Scheme, dated 25.11.2004 and to quash the same in so far as it directs the transfer of the ration shops from R.6671, Kulamanickam Primary Agriculture Co-operative Bank/ the second respondent to R-4074, Elanthakudam Primary Agriculture Co-operative Bank/ the third respondent, without the Salesman and consequently to direct the

third respondent to continue to engage the services of the petitioners as Salesmen of the ration shops on the same service conditions under which they were recruited initially with continuity of service and all other monetary benefits.

2.The case of the petitioners is that they are employed in the ration shops situated at Kulamanickam and Sembiyankudi respectively in Perambalur District under the control of R.6671, Kulamanickam Primary Agriculture Co-operative Bank as Salesmen. By the impugned proceedings dated 25.11.2004, the Joint Registrar of Co-operative Societies, Perambalur Zone decided that the ration shops functioning under the control of Kulamanickam Primary Agriculture Co-operative Bank should be brought under the control of R-4074, Elanthakudam Primary Agriculture Co-operative Bank. However, one of the conditions imposed in the said proceedings is that only the shops should be transferred and not the Salesmen. Hence, on account of the transfer of the ration shops, the petitioners would lose their jobs. Aggrieved by the same, the petitioners have filed this writ petition.

3.The learned counsel appearing for the petitioners report 'no instructions'.

4.The learned Additional Government Pleader appearing for the respondents would submit that the petitioners were employed as Salesmen and they have also retired from service. Hence, nothing survives for adjudication in this writ petition.

5.In view of the above, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

02.07.2019

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Speaking Order/ Non Speaking Order

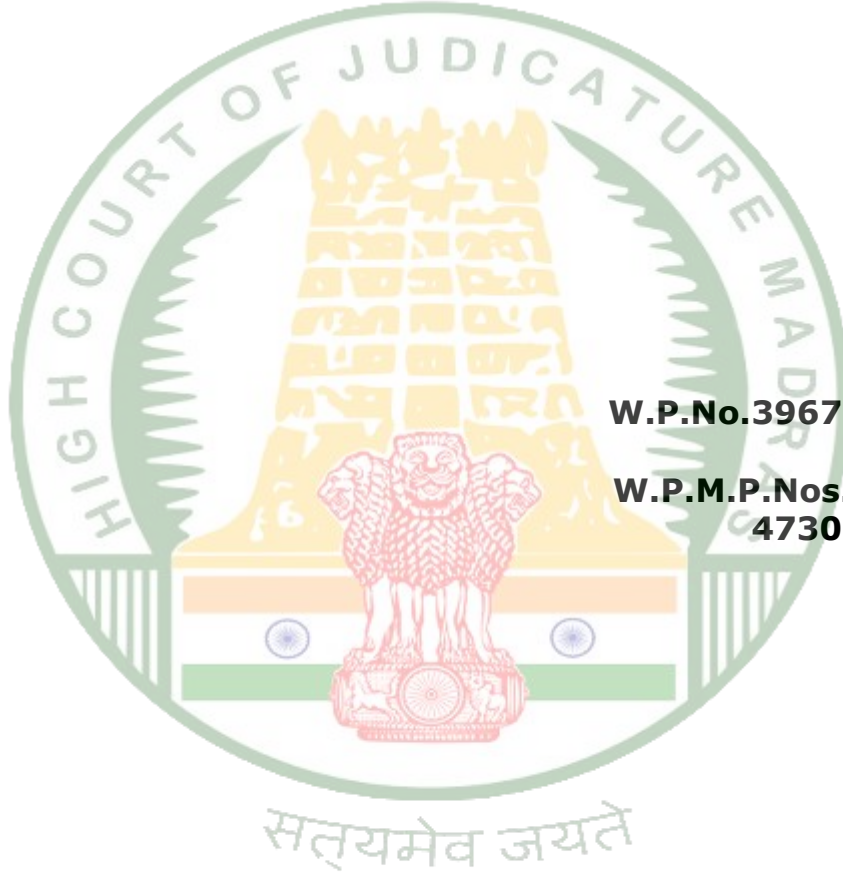
Index: Yes/ No

Internet: Yes/ No

To

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Kulamanickkam,
Ariyalur Taluk,
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- 3.The Special Officer,
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Co-operative Bank,
Elanthakudam,
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M.DHANDAPANI,J.
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