

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29578 of 2019

N.Kavitha

.. Petitioner

-vs-

1.The Registrar of Co-operative Societies,
Registrar of Co-operative Societies Office,
No.70, E.V.R.Periyar Salai,
Kilpauk, Chennai-600 010.

2.The Managing Director,
Dharmapuri Central Co-operative
Bank Limited, Head Office,
No.81/10 H, Nethaji Bye Pass Road,
Dharmapuri-636 701.

3.Villupuram District Central Co-operative
Bank Limited,
No.2, Hospital Road,
Villupuram-605 602.

... Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to consider the petitioner's request for transfer and absorption in the 3rd respondent Bank in accordance with the circular dated 08.10.2018 issued by the 1st respondent, within a time frame to be fixed by this Court.

For Petitioner : M/s.D.Geetha

For Respondents : Mr.L.P.Shanmugasundaram,
Special Govt. Pleader (Coop.)

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner entered service under the second respondent Bank as Assistant on regular basis in the year 2010. The State Co-operative Recruitment Board called for applications and the petitioner was selected

and shortlisted through regular recruitment for appointment in the second respondent Bank. Accordingly she was appointed as Assistant in the second respondent Bank by order dated 29.11.2010. She completed probation in the year 2012 and thereafter regularised as Assistant. The petitioner being a native of Villupuram is unable to take care of her family and the aged parents. While being so, the Government of Tamil Nadu issued circular to the first respondent with guidelines for transfer and absorption of employees from Non-common Cadre services in Cooperative Societies. Some of the important conditions is that the employee should have been appointed on regular basis as per bye laws and regularised in the parent Society and also the absorbing Society should have the requisite cadre strength and number of vacancies. In order to avail that benefit, she made representation dated 04.03.2019 seeking transfer to the third respondent Bank narrating her family circumstances, but the same has not been considered so far. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner dated 04.03.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 04.03.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.
lok

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Registrar of Co-operative Societies,
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3.Villupuram District Central Co-operative
Bank Limited,
No.2, Hospital Road,
Villupuram-605 602.

+1cc to M/s.D.Geetha, Advocate, SR.No86721

+1cc to Special Govt.Pleader(Co-op),Vide Sr.No.87316

+1cc to Mr. L.P.Shanmugasundaram Advocate, SR.No.87184

W.P.No.29578 of 2019

Kak(05/11/2019)



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