



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.03.2019

CORAM :

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THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P (MD) No.3713 of 2018

R.Moshithiyan

... Petitioner

Vs.

1.The Registrar of Co-operative Societies,
Office of State Registrar Office,
Natarajan Maligai,
Kilpauk, Chennai.

2.The Managing Director,
Kanyakumari District Central Co-operative Bank,
Nagercoil, Kanyakumari District.

3.R.Kangaraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to take action against the second and third respondents as per the resolution of Kanyakumari District Central Co-operative Bank Executive Committee dated 07.02.2017, 12.05.2017, 16.09.2017 in the light of the petitioner's representation dated 26.10.2017.

For Petitioner : Mr.H.Thayumanaswamy

For R1 : Mr.M.Karuppasamy

Government Advocate

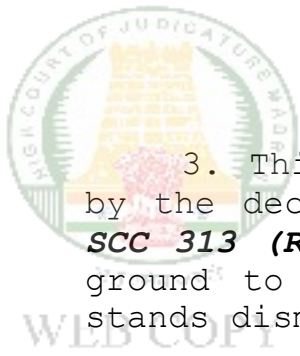
For R2 & R3 : Mr.D.Shanmugaraja Sethupathy

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is the Director of Kanyakumari District Central Co-operative Bank, Nagercoil. He wants this Court to direct the respondents 1 and 2 to take action against the third respondent.

3. As rightly pointed out by the learned counsel appearing for the third respondent, whether to take disciplinary action against the third respondent or not, is a matter that is to be decided entirely by the employer/Management of the said Bank. This Court cannot give any direction to the Management at the instance of a third party.



3. This proposition is no longer *res-integra*. It was settled by the decision of the Hon'ble Supreme Court reported in **(2000) 9 SCC 313 (Rajnit Prasad Vs. Union of India and others)**. I find no ground to issue the Mandamus as sought for. The Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To

The Registrar of Co-operative Societies,
Office of State Registrar Office,
Natarajan Maligai,
Kilpauk, Chennai.

+1cc to M/s.Special Government Pleader, SR.No. 51969
+1cc to Mr.H.THAYUMANASWAMY, Advocate, SR.No.51879
+1cc to Mr.D.SHANMUGHARAJA SETHUPATHI, Advocate, SR.No.51765

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