



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN
W.P. [MD] No. 3925 of 2016

WEB COPY

S.Meenal

: Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Ramanathapuram.

2. The Deputy Registrar of Co-operative Societies,
Paramakudi,
Ramanathapuram District.

3. The President,
Paramakudi Co-operative Urban Bank,
Paramakudi,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents herein to give suitable direction to the third respondent to promote the petitioner to the post of Assistant Manager and also further promotion as Manager on the basis of the representations dated 18.02.2014 and 24.02.2014 within the time stipulated by this Court.

For Petitioner : Mr.C.Jegannathan

For Respondents 1&2 : Mr.V.Anand,
Government Advocate

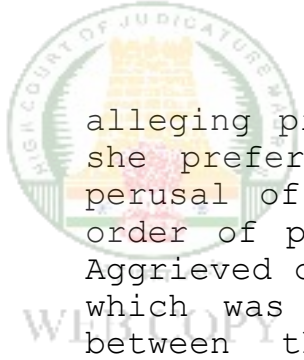
For Respondent No.3 : Mr.S.Seenivasagam

O R D E R

The petitioner has filed the present Writ Petition seeking a Writ in the nature of a Writ of Mandamus, directing the first and second respondents to give suitable direction to the third respondent to promote her to the post of Assistant Manager and also further promotion as Manager, on the basis of her representations dated 18.02.2014 and 24.02.2014.

2. Heard the submissions made on either side.

3. According to the learned counsel for the petitioner, the petitioner was appointed as a Junior Assistant in Paramakudi Co-operative Urban Bank on 23.03.1994 and got regularisation. While so,



alleging pilferage, she was dismissed from service, against which, she preferred an appeal. On appeal, the appellate authority, on perusal of the records as well as the charge memo, set aside the order of punishment with a direction to reinstate her in service. Aggrieved over the said order, the Management filed a Writ Petition, which was disposed of, on the basis of compromise entered into between the parties, modifying the punishment into one of withholding of increment for a period of five years without cumulative effect.

4. The learned counsel further contended that as a parallel proceedings, criminal case also came to be registered against her in Crime No.2 of 1999 and on account of pendency of the same, she was denied the promotions. Pointing out that her juniors were promoted as Assistant Managers and thereafter, as Managers and she is no way responsible for any pilferage or loss to the society and falsely roped in the criminal case, she made a representation dated 18.02.2014, followed by another representation dated 24.02.2014 to the respondents seeking promotions. Since the same have not been considered till date, the present Writ Petition has been filed for the above stated reliefs.

5. The learned Government Advocate appearing on behalf of the first and second respondents and the learned counsel for the third respondent submitted that the representations of the petitioner would be considered on merits and in accordance with law.

6. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel on other side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to consider the representation of the petitioner dated 18.02.2014, followed by reminder dated 24.02.2014, if not considered earlier and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Joint Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Ramanathapuram.

2.The Deputy Registrar of Co-operative Societies,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-56980[F] dated
27/03/2019)

+1 CC to M/s.SPL GP (SR-57104[F] dated 27/03/2019)

+1 CC to M/s.S.SEENIVASAGAM, Advocate (SR-57235[F]
dated 28/03/2019)

Order made in
W.P. [MD]No.3925 of 2016
Dated: **26.03.2019**

DS/ /SAR- (23.04.2019) 3P 6C