



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20768 of 2019

and

W.M.P. (MD) Nos.17387, 17389 and 17390 of 2019

1.P.Karthi
2.Kalaivani
3.S.Gowtham

... Petitioners

-Vs-

- 1.The Registrar of Co-operative Societies,
Registrar of Co-operative Societies Office,
No.70, EV.R. Periyar Salai,
Kilpauk, Chennai-600 010.
- 2.The Madurai Co-operatives District Recruitment Board,
Joint Registrar / President, Co-operative Societies,
Co-Operative Societies Joint Registrar / President Office,
Kanaga Apartment,
Madurai 625 001.
- 3.The Managing Director,
The Dindigul Central Co-operative Bank Limited,
Head Office, Co-operative Nagar, Trichy Road,
Dindigul 624 005.
- 4.Madurai District Central Co-operative Bank Limited,
No.187, North Veli Street
Madurai 625 001

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari Mandamus, calling for the records in Advertisement No.1/2019, dated 19.08.2019 issued by the second respondent, calling for applications to the post of Assistants in the second respondent Bank, quash the same and consequently, direct the second respondent to consider the petitioners' request for transfer and absorption to the post of Assistant in the fourth respondent Bank within a time frame.



For Petitioner : Ms.D.Geetha
For R1 & R2 : Mr.S.Dhayalan
Government Advocate.
For R3 & R4 : Mr.D.Shanmugaraja Sethupathi

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ORDER

The Writ Petition has been filed to call for the records in Advertisement No.1/2019, dated 19.08.2019, issued by the second respondent, is sought to be quashed in the Writ Petition and consequently, directs the second respondent to consider the petitioners' request for transfer and absorption to the post of Assistant in the fourth respondent Bank.

2.Heard Ms.D.Geetha, learned counsel appearing on behalf of the petitioners, Mr.S.Dhayalan, learned Government Advocate, who takes notice on behalf of the respondents 1 and 2 and Mr.D.Shanmugaraja Sethupathi, learned counsel, who takes notice on behalf of the respondents 3 and 4.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.The learned counsel appearing on behalf of the petitioners submitted that the petitioners were appointed as Assistant in the year 2016 in the third respondent bank. They completed probation in the year 2018 and their services were regularized as Assistant. The petitioners are the natives of Madurai. Therefore, they are not in position to spend time with their families, who are residing at Madurai and they have aged parents. In view of the same, the petitioners have given representations, dated 02.02.2019, 04.02.2019 and 09.02.2019 respectively, to the first respondent through the third respondent to transfer them from Dindigul to Madurai. She further submitted that if a direction is issued to the third respondent to consider the representations of the petitioners, taking into consideration of the circular issued by the first respondent, dated 08.10.2018, it would suffice.

5.The learned counsel appearing on behalf of the respondents 3 and 4 submitted that the representations of the petitioners will be considered and appropriate orders will be passed on merits and in accordance with law, within a time frame.

6.In view of the submission made on either side, this Court directs the third respondent to consider the representation of the petitioners, dated 02.02.2019, 04.02.2019 and 09.02.2019 respectively, in the light of the circular issued by the first respondent, dated 08.10.2018, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

Msa

To

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

2. The Madurai Co-operatives District Recruitment Board,
Joint Registrar / President, Co-operative Societies,
Co-Operative Societies Joint Registrar / President Office,
Kanaga Apartment,
Madurai 625 001.

+2CC to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate,
SR-89782 & SR-89783.

+1CC to GP SR-90252.

+1CC to M/s.D.GEETHA, Advocate SR-90471.

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