



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.09.2019
CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20173 of 2019

and

W.M.P. (MD) Nos.16724, 16725 and 16727 of 2019

R.Jeganathan

... Petitioner

-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 Thoothukudi Co-operatives District Recruitment Board,
Joint Registrar / President, Co-operative Societies,
Co-Operative Societies Joint Registrar / President Office,
39-B, T.R.Naidu Road (First Floor),
Tuticorin-628 002.

3.The Managing Director,
The Thiruchirappalli Central Co-operative Bank Limited,
Head Office, Fort Station Road,
Trichy-620 002.

4.Thoothukudi District Central Co-operative Bank Limited,
No.70A, Balarinayar Koil Street,
Tuticorin Market Branch,
Tuticorin-628 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certioarified Mandamus, calling for the records in Advertisement No.2/2019, dated 07.08.2019 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 petitioner's 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.C.M.Mari Chellaih Prabhu, Additional Government Pleader.
For R3 & R4	: Mr.D.Shanmugaraja Sethupathi



ORDER

Heard Ms.D.Geetha, learned counsel appearing on behalf of the petitioner, Mr.C.M.Mari Chellai Prabhu, learned Additional Government Pleader, 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.

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

3.Advertisement No.2/2019, dated 07.08.2019, issued by the second respondent, is sought to be quashed in the Writ Petition and further direction sought for is to direct the second respondent to consider the petitioner's request for transfer and absorption to the post of Assistant in the fourth respondent Bank.

4.The learned counsel appearing on behalf of the petitioner submitted that the petitioner was appointed as Assistant in the year 2016 in the third respondent bank and he has completed his probation on 01.03.2018 and his service was regularized as Assistant. The petitioner is the native of Thoothukudi. Therefore, he is not in a position to spend time with his family, who are residing at Thoothukudi and he has aged parents. In view of the same, he has given representations, dated 18.07.2019 and 30.08.2019 to the third respondent to send proposal to the first respondent to transfer him from Trichy to Thoothukudi. She further submitted that if a direction is issued to the third respondent to consider the representations of the petitioner, 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 petitioner 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



petitioner, dated 30.08.2019, 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 (writs)

// True Copy //

Sub Assistant Registrar (CS)

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 Thoothukudi Co-operatives District Recruitment Board,
Joint Registrar / President, Co-operative Societies,
Co-Operative Societies Joint Registrar / President Office,
39-B, T.R.Naidu Road (First Floor),
Tuticorin-628 002.

+2 CC to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-87784[F] dated 19/09/2019)

+1 CC to M/s.D.GEETHA, Advocate (SR-87845[F] dated 19/09/2019)

+1 CC to SPL GP (SR-88358[F] dated 20/09/2019)

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19.09.2019

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