



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.20429 of 2019

and

W.M.P(MD)Nos.17073 & 17074 of 2019

The President,
TN Special 66, Erachi Primary Agricultural
Co-operative Credit Society Limited,
Erachi, Ettayapuram Taluk,
Tuticorin District.

... Petitioner

vs.

- 1.The Registrar of Co-operative Societies, Chennai.
- 2.The Joint Registrar of Co-operative Societies /
The Common Cadre Officer,
Office of the Joint Registrar of Co-operative Societies,
Tuticorin
- 3.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Tuticorin.
- 4.Dharmaraj
- 5.The President,
TN Special 144 Cholapuram Primary Agricultural
Co-operative Credit Society Limited,
Cholapuram, Ettayapuram Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the impugned order of transfer passed by the second respondent in Na.Ka.No.3651/2019, Tho.Ve.Sa.(20), dated 16.07.2019 transferring the fourth respondent from the petitioner Society to the fifth respondent Society and to quash the same.

For Petitioner : Mr.K.R.Laxman

For RR 1 to 3 : Mr.S.Dhayalan,
Government Advocate.

For R = 5 : Mr.J.Gunaseelan Muthiah



ORDER

The petitioner, who is the President of the Erachi Primary Agricultural Co-operative Credit Society, is challenging the impugned order, dated 16.07.2019 passed by the second respondent, transferring the fourth respondent to the fifth respondent / Cholapuram Primary Agricultural Co-operative Credit Society Limited.

2.Mr.S.Dhayalan, learned Government Advocate accepts notice on behalf of the respondents 1 to 3 and Mr.J.Gunaseelan Muthiah, learned counsel accepts notice on behalf of the fifth respondent.

3.According to the petitioner, the petitioner's Society is having turnover of 1.6 crores, which comes under 'A' category, wherein the fifth respondent Society comes under 'C' category and as such, the order of transfer passed by the second respondent, by transferring the fourth respondent from the petitioner's 'A' category Society to the fifth respondent 'C' category Society is in violative of Rule 18 of the Tamil Nadu Primary Agricultural Co-operative Credit Societies Common Cadre Service Rules, 2019 and prayed for allowing the Writ Petition.

4.Mr.S.Dhayalan, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3, submitted that the petitioner's Society has no *locus standi* to challenge the order of transfer passed by the second respondent and prayed for dismissal of the Writ Petition.

5.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the fifth respondent.

6.From the perusal of the records, it is seen that the petitioner's Society has challenged the order of transfer passed by the second respondent by transferring the fourth respondent from the petitioner's Society to the fifth respondent Society and the reason given by the petitioner for challenging the same, is not valid.

7.For the above stated reason, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Registrar of Co-operative Societies,
Chennai.
- 2.The Joint Registrar of Co-operative Societies /
The Common Cadre Officer,
Office of the Joint Registrar of Co-operative Societies,
Tuticorin.
- 3.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
Tuticorin.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 88864

W.P(MD)No.20429 of 2019
23.09.2019

MA(CO)
TR(14.10.2019) 3P 5C