



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20958 of 2019

and

W.M.P. (MD) Nos.17550, 17544 & 17545 of 2019

G.Suresh

... 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 Chennai Co-operatives District Recruitment Board,
Additional Registrar, Co-operative Societies,
Chennai Zonal office,
No.91, 3rd Floor, St. Mary's Road,
Abhiramapuram,
Chennai-600 018.
- 3.The Managing Director/Joint Registrar,
The Thiruchirapalli Central Co-operative Bank Limited,
Head Office, Fort Station Road,
Trichy-620 002.
- 4.Chennai Central Co-operative Bank Limited,
215, Prakasam Salai,
Broadway,
Chennai-600 108.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari/Mandamus, calling for the records in Advertisement No.2/2019/DRB/CHN, dated 30.08.2019 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.VR.Shanmuganathan,
Special Government Pleader
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.2/2019/DRB/CHN, dated 30.08.2019, 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.

2.Heard Ms.D.Geetha, learned counsel appearing on behalf of the petitioner, Mr.VR.Shanmuganathan, learned Special 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.

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 petitioner submitted that the petitioner was appointed as Assistant in the year 2016 in the third respondent bank. He completed probation in the year 2019 and his service was regularized as Assistant. The petitioner is the native of Chennai. Therefore, he is not in a position to spend time with his family, who are residing at Chennai and he has to take care of his aged parents. In view of the same, the petitioner has given representation, dated 04.09.2019, to the third respondent to transfer him from Trichy Srirangam Branch to Chennai. She further submitted that if a direction is issued to the third respondent to consider the representation 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 representation 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 by the learned counsel on either side, this Court directs the third respondent to consider the representation of the petitioner, dated 04.09.2019, 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.

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Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

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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 Chennai Co-operatives District Recruitment Board,
Additional Registrar, Co-operative Societies,
Chennai Zonal office,
No.91, 3rd Floor, St. Mary's Road,
Abhiramapuram,
Chennai-600 018.

+1 CC to M/s.D.GEETHA, Advocate (SR-90473[F] dated 30/09/2019)

+1 CC to M/s.D. SHANMUGARAJA SETHUOATHI, Advocate (SR-90754[F] dated 01/10/2019)

+1 CC to M/s.SPL GP (SR-90896[F] dated 01/10/2019)

W.P. (MD) No.20958 of 2019
30.09.2019

JMN(25.10.2019) 3P : 6C