



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.6014 of 2015

WEB COPY

G.Thangarasu

... Petitioner

Vs.

1.The Regional Joint Registrar of Co-operative Societies,
Pudukkottai Region,
Integrated Co-operative Complex,
Pudukkottai Post,
Pudukkottai District.

2.The Deputy Registrar of Co-operative Societies,
Pudukkottai Circle,
Integrated Co-operative Complex,
Pudukkottai Post,
Pudukkottai District.

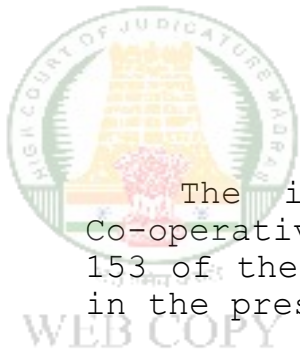
3.The Secretary,
Narthamalai Primary Agricultural Co-operative Credit Society,
Narthamalai Post,
Kulathur Taluk,
Pudukkottai District.

4.The President,
Narthamalai Primary Agricultural Co-operative Credit Society,
Narthamalai Post,
Kulathur Taluk,
Pudukkottai District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent in Na.Ka.No.2891/2014/A2, dated 28.08.2014 and quash the impugned order passed by the first respondent as illegal and arbitrary and in consequence thereof direct the fourth respondent to give notional promotion to the petitioner as clerk from 12.02.1980 with all monetary and other attendant benefits on par with the co-employees of the Society at once.

For Petitioner	: Mr.P.Ganapathi Subramanian
For R1 & R2	: G.Arjunan Government Advocate
For R3 & R4	: Mr.S.Visvalingam



ORDER

The impugned order passed by the Joint Registrar of the Co-operative Society in proceeding dated 28.08.2014 under Section 153 of the Tamil Nadu Co-operative Societies Act is under challenge in the present writ petition.

2.The revisional authorities mainly the first respondent rejected the revision petition filed by the petitioner mainly on the ground that the revision petition is filed with reference to the orders passed in the year 1998 and 1999 after a lapse of five years and therefore, the revision petition cannot be entertained and accordingly, dismissed the same.

3.The learned counsel for the petitioner relied on the earlier writ petition and the writ petition was withdrawn. Even the said writ petition was filed in the year 2015. The revision petition filed by the petitioner dated 05.06.2014 reveals that the petitioner seeks a direction from the revisional authority to implement the promotional order issued in his favour in proceeding dated 08.12.1997. Thus, the revision petition itself is filed after a lapse of about seventeen years from the date of passing of the promotional order. Even the revision petition is not properly filed. In the revision petition, the petitioner states that the promotional order dated 08.12.1997 is to be implemented. In view of the facts and circumstances, the reasons stated in the impugned order passed by the first respondent under Section 153 of the Tamil Nadu Co-operative Societies Act, is inconsonance with the provisions of the Tamil Nadu Co-operative Societies Act. The petition cannot be entertained for granting the benefit of promotion.

4. In view of the fact that the revision petition is filed belatedly under Section 153 of the Act, and the impugned order is in accordance with law and therefore, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(RTI)

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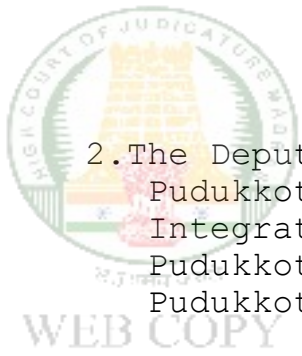
/ /2020

Sub Assistant Registrar(CS)

rmi

To

1.The Regional Joint Registrar of Co-operative Societies,
Pudukkottai Region,
Integrated Co-operative Complex,
Pudukkottai Post, Pudukkottai District.



2.The Deputy Registrar of Co-operative Societies,
Pudukkottai Circle,
Integrated Co-operative Complex,
Pudukkottai Post,
Pudukkottai District.

+1 CC to M/s.GP (SR-23149[F] dated 27/11/2020)

W.P. (MD)No.6014 of 2015

SJ(CO)

TR(03.12.2020) 3P 4C