

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2400 of 2021

K.Sugavaneswaran

... Petitioner

Vs

1. The Joint Registrar of Co-operative Societies,
District Collectarate IV Floor,
Sale 636 001.
 2. The Deputy Registrar of Co-Operative Societies,
Salem Circle, Salem District - 636 001.
 3. The President,
S, 1315 Murungapatty Primary Agricultural
Co-Op Credit Society Ltd,
Murungapatty Post,
Sivadhapuram Via,
Salem District 636 307.
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 3 to consider the claim of the petitioner for promotion as Assistant Secretary and pass orders thereon within a time frame in the light of his representation dated 27.11.2020.

For Petitioner : Mr.G.Punniyakoti

For Respondents : Mr.L.P.Shanmuga Sundaram
Special Government Pleader

W E B C O P Y
O R D E R

This petition has been filed, seeking direction to the respondents 1 to 3 to consider the claim of the petitioner for promotion as Assistant Secretary and pass orders thereon within a time frame in the light of his representation dated 27.11.2020.

2. Heard the learned counsel on either side and perused the materials available on record.

3. At first blush, this writ petition is not maintainable before this Court in view of the judgment of this Court in the case of K.Marappan vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal and another reported in 2006-4-L.W.495, as the petitioner seeks the relief against the Co-operative Society in this case. With regard to the claim of disbursement of his gratuity amount, the remedy open to him is to approach the Controlling Authority under the Payment of Gratuity Act, 1972.

4. In view of the above, this Writ Petition is dismissed as not maintainable. However, this order will not preclude the petitioner in seeking gratuity before the concerned authority, if he is otherwise eligible. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vum
To:

1. The Joint Registrar of Co-operative Societies,
District Collectarate IV Floor,
Sale 636 001.
2. The Deputy Registrar of Co-Operative Societies,
Salem Circle, Salem District - 636 001.

+lcc to the Government Pleader Sr.6784

सत्यमेव जयते

W.P.No.2400 of 2021

ssn[co]
srg 03/01/2021

WEB COPY