

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2434 of 2021
and
W.M.P.No.2748 of 2021

S.Balasubramanian

... Petitioner

-vs-

1.The Registrar,
Co-operative Societies,
170, Periyar E.V.R.Road,
Kilpauk, Chennai.

2.The Joint Registrar/Controller of Examination,
Tamilnadu Co-op Society State Recruitment Bureau,
170, Periyar E.V.R.Road,
Kilpauk, Chennai.

3.The Managing Director,
District Central Co-operative Bank,
Kancheepuram District - 631 501.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari and Mandamus, to call for the records of the 2nd respondent in Na.Ka.No.36979 of 2016 dated 27/04/2017 quash the same and direct the 1st respondent to issue appointment order to the petitioner.

For Petitioner : Mr.B.Nedunchezhiyan

For R1 & R2 : Mr.L.P.Shanmugasundaram, Spl., GP

सत्यमेव जयते

O R D E R

This Writ petition is filed, seeking to call for the records of the 2nd respondent in Na.Ka.No.36979 of 2016 dated 27/04/2017 quash the same and direct the 1st respondent to issue appointment order to the petitioner.

2.Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice for the respondents 1 & 2.

3.By consent, final orders are passed in the Writ Petition at the admission stage.

4. According to the petitioner, pursuant to the notification dated 02.11.2012 of the 2nd respondent, he applied for the post of Assistant. However, his candidature came to be rejected on the ground that the petitioner has not furnished any undertaking letter / agreement to complete the Diploma course in Co-operative Management, which is the qualification for the said post. According to the petitioner, furnishing of such agreement to complete the Diploma is not necessary, as held by the Madurai Bench of Madras High Court in W.P.(MD) No.4946 of 2017 dated 11.12.2020. In this regard, the petitioner made representations, however, the same have not evoked any response, which prompted the petitioner to come forward with the present writ petition.

5. Mr.L.P.Shanmugasundaram, learned Special Government Pleader, fairly submitted that in case the petitioner furnishes the agreement as required, his claim will be considered.

6. The petitioner submitted that he has furnished all the relevant certificates and documents, however, the 3rd respondent passed an order on 27.04.2017 rejecting the candidatures of the petitioner and not allowed him to participate in the certificate verification.

7. In view of the submission made by the learned Special Government Pleader, this writ petition is disposed of, and, in case the petitioner furnishes all the certificates required by the respondents, then the case of the petitioner shall be considered in accordance with law. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mtl

To

1.The Registrar,
Co-operative Societies,
170, Periyar E.V.R.Road,
Kilpauk, Chennai.

2.The Joint Registrar/Controller of Examination,
Tamilnadu Co-op Society State Recruitment Bureau,
170, Periyar E.V.R.Road,
Kilpauk, Chennai.

3.The Managing Director,
District Central Co-operative Bank,
Kancheepuram District - 631 501.

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No. 15635
+1cc to the Special Government Pleader, S.R.No. 15814

W.P.No.2434 of 2021

SV(CO)
GN(22/03/2021)



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