



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.7623 of 2021

and

W.M.P. (MD) Nos.5784 and 5785 of 2021

R.Kavitha

...Petitioner

Vs.

- 1.The Commissioner of Social Welfare,
Social Welfare Department,
Saidapet, Chennai-15.
- 2.The District Collector,
Collectorate Office, Thanjavur.
- 3.The District Registrar /District Social Welfare Officer,
Office of the District Social Welfare Officer,
Collectorate Office, Thanjavur.
- 4.The Management Director,
Thanjavur Women Tailoring,
Employee Business Co-operative Society,
Sivaraya thottam, 1st Street,
Maanampuchavadi, Thanjavur.
- 5.The President, Thanjavur Women Tailoring,
Employee Business co-operative Society,
Sivaraya thoattam, 1st Street,
Maanampuchavadi, Thanjavur.

6.Saravanan

...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 on the file of the 3rd respondent pertaining to the impugned proceedings passed by her vide her proceedings of 3rd respondent, in Se.Mu.Na.Ka.No.452/2020 dated 01.12.2020 and quash the same as illegal and consequently direct the 3rd respondent to regularize the service of any other eligible female employee by following the rules and regulations within the time that may be stipulated by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioner :Mr.M.Siddharthan
For Respondents 1 to 4 :Mr.C.Ramesh
Special Government Pleader
For Respondent 5 :Mr.P.Mahendran

WEB COPY

ORDER

Heard Mr.M.Siddharthan, Learned Counsel for the Petitioner, Mr.C.Ramesh, Learned Special Government Pleader who takes notice for the First to Fourth Respondents and Mr.P.Mahendran, Learned Counsel for the Fifth Respondent and perused the materials placed on record apart from the pleadings of the parties.

2. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that the Sixth Respondent is the sister's son of one Veerammal, who is one of the Directors in the Fourth Respondent Co-operative Society and despite the bar under Rule 149(5) read with Rule 63(9) of the Tamil Nadu Co-operative Societies Rules, 1988, on account of such relationship, the Third Respondent by order dated 01.12.2020 has appointed the Sixth Respondent in the service of the Fourth Respondent Co-operative Society.

3. When it was pointed out that the Registrar of Co-operative Societies has been conferred with powers under Rule 149(6) of the Tamil Nadu Co-operative Societies Rules, 1988, to decide questions of such disqualification of persons, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to resort to the aforesaid procedure. He has also filed a memo dated 08.04.2021 through e-mail to that effect, which is placed on record.

4. In the result, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that no view has been expressed on the merits of the controversy involved in the matter. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the

<https://hcservices.ecourts.gov.in/hcservices/>



responsibility of the advocate / litigant concerned.

To:

- 1.The Commissioner of Social Welfare,
Social Welfare Department, Saidapet, Chennai-15.
- 2.The District Collector,
Collectorate Office, Thanjavur.
- 3.The District Registrar /District Social Welfare Officer,
Office of the District Social Welfare Officer,
Collectorate Office, Thanjavur.
- 4.The Management Director,
Thanjavur Women Tailoring,
Employee Business Co-operative Society,
Sivaraya thottam, 1st Street,
Maanampuchavadi, Thanjavur.

+1 CC to M/s.SPL GP (SR-15609[F] dated 09/04/2021)

+1 CC to M/s.SPL GP (SR-15797[F] dated 15/04/2021)

W.P. (MD) No.7623 of 2021
08.04.2021

RP (17.05.2021) P 7C