



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.14111 of 2021

P.Periyasamy

... Petitioner

Vs.

1.The President/Appellate Authority,
District Central Co-operative Bank,
Sivagangai District.

2.The Joint Registrar/Managing Director,
District Central Co-operative Bank,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to revoke the order of the second respondent, which was issued by de-promoting the service of the petitioner and further to consider the petitioner for the same post as Assistant by considering the petitioner's representation dated 04.05.2019.

For Petitioner : Mr.T.Sakthi Kumaran for
Mr.A.Umavathi

For Respondents : Mr.D.Shanmugaraja Sethupathi

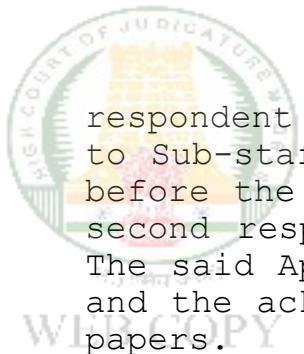
ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the first respondent to revoke the order of the second respondent, which was issued by de-promoting the service of the petitioner and further to consider the petitioner for the same post as Assistant by considering the petitioner's representation dated 04.05.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, he was working as an Assistant in the second respondent Bank and was de-promoted by the second



respondent vide his proceedings dated 22.03.2019 from the Assistant to Sub-staff. Subsequently, the petitioner has preferred an appeal before the first respondent to re-consider the order passed by the second respondent by de-promoting him from Assistant to Sub-staff. The said Appeal was submitted on 04.05.2019 to the first respondent and the acknowledgement proof has also enclosed in the typed set of papers. The said appeal is still pending before the first respondent. Since, no orders have been passed, the present writ petition has been filed before this Court.

5.The learned counsel appearing for the respondents would submit that that the petitioner's appeal would be considered and appropriate orders will be passed within the time stipulated by this Court.

7. Considering the above submissions of the learned counsel on either side and also considering the limited scope of prayer sought by the petitioner, without expressing any opinion on merit, this Court directs the first respondent to consider the petitioner's Appeal dated 04.05.2019 on merits and pass appropriate orders expeditiously within a period of 12 weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dn

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 responsibility of the advocate/litigant concerned.

To:

1.The President/Appellate Authority,
District Central Co-operative Bank,
Sivagangai District.



+2 CC to M/s.A.UMAVATHI, Advocate (SR-26119,26317[F] dated 12/08/2021)

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-26265[F] dated 13/08/2021)

W.P (MD) No.14111 of 2021
11.08.2021

RK (19.08.2021) 3P 5C