



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.2631 of 2022

and

W.M.P.Nos.2784 and 2785 of 2022

P.Balachandran

..Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Nagapattinam Region, Nagapattinam,
Nagapattinam District.

2.The Deputy Registrar of Cooperative Societies,
Mayiladuthurai Circle, Mayiladuthurai,
Mayiladuthurai District.

3.The President,
Z.200, Thiruvalli Primary Agricultural
Cooperative Credit Society,
Thiruvalli Post-609109, Sirkazhi Taluk,
Mayiladuthurai District

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings Na.Ka.210/2021/Tho.Vae.Sa(i), dated 11.01.2022 and quash the same.

For Petitioner : C. Prakasam,
For Mrs.Hemalatha

For Respondents : Mrs.S.Anitha, Spl.GP

ORDER

Challenging the impugned order dated 11.01.2022 passed by the 3rd respondent, relieving the petitioner from service, the present writ petition is filed.



2. The learned counsel for the petitioner has submitted that the petitioner was appointed as Salesman in the 3rd respondent society and subsequently the 3rd respondent had granted permission to study Diploma in Cooperation and the petitioner is also working without any break in the 3rd respondent society. The petitioner had made request to regularise the petitioner's service before the 3rd respondent and in turn the 3rd respondent forwarded the proposal to the 1st & 2nd respondent. But the 2nd respondent had passed the impugned order and directed the 3rd respondent to relive the petitioner.

3. According to the learned counsel for the petitioner, the petitioner was appointed by the 3rd respondent society by resolution dated 06.04.2017 and not through private security services.

4. The learned Special Government Pleader has produced a communication dated 18.11.2021 addressed to the 3rd respondent, wherein it is stated that since the petitioner was engaged by a private security force, appointment shall be made by the District Recruitment Board. Therefore, the impugned order passed by the 2nd respondent directing the 3rd respondent to relieve from service is valid and does not require any interference by this Court.

5. Considering the facts and circumstances of the case and the submission made by the learned Special Government Pleader that the appointment in respect of petitioner shall be made only by the District Recruitment Board and, this Court is of the view that the prayer sought for by the petitioner cannot be entertained and the same is liable to be rejected.

6. In the result, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Registrar of Cooperative Societies,
Nagapattinam Region, Nagapattinam,
Nagapattinam District.



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Mayiladuthurai District.

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Thiruvalli Post-609109, Sirkazhi Taluk,
Mayiladuthurai District.

+1cc to the Government Pleader, S.R.No.13400

W.P.No. 2631 of 2022
and
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SR-II (CO)
RGA (30/03/2022)