



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.18003 of 2019

and

W.M.P(MD).Nos.14460 and 14461 of 2019 and 642 of 2020

Kennady Peter Perinbadas

... Petitioner

Vs.

The Regional Joint Registrar of
Co-operative Societies/
Common Cadre Authority,
Kanyakumari.

... Respondent

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records pertaining to the impugned proceedings issued by the respondent in his proceedings in Na.Ka.No.3024/2019/tho.ve.sa(6) dated 16.07.2019 and quash the same.

For Petitioner : Mr.N.Sankar Ganesh
For Respondents : Mr.M.Ramesh
Government Advocate

O R D E R

The order of transfer dated 16.07.2019 issued by the respondent is under challenge in the present Writ Petition.

2. The petitioner is working as Secretary at Karavilai Primary Agricultural Co-operative Credit Society and he is transferred to Perumselvavilai Primary Agricultural Co-operative Credit Society which is within the same District. The order of transfer was issued on administrative grounds. However, by virtue of an interim order, the petitioner was allowed to continue in the present Society at Karavilai Primary Agricultural Co-operative Society.

3. The petitioner is working in the post of Secretary. This apart, the order impugned is an administrative order of transfer issued within the same District, which would not affect the normal life of the petitioner. However, the Co-operative Society, which is not funded by the Government, is not a State within the meaning of



Article 12 of the Constitution of India. Thus, if at all any grievance exists for the petitioner, he has to approach the Competent Authority under the provisions of the Tamil Nadu Co-operative Societies Act for the purpose of redressing his grievances. Contrarily, this Court cannot interfere with the order of administrative transfer in a routine manner as transfer is an incidental to service, more so, a condition of service. Mere administrative transfer would not provide a cause for filing a writ petition. An order of transfer may be challenged on limited ground, if it is tainted with malafide or without jurisdiction, but not otherwise. Thus, the petitioner is at liberty to approach the Competent Authority for the purpose of re-dressal of his grievances.

4. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

The Regional Joint Registrar of Co-operative Societies/
Common Cadre Authority,
Kanyakumari.

+1 CC to M/s.N.SANKAR GANESH, Advocate (SR-12238[F]
dated 15/03/2022)

+1 CC to M/s.SPL GP (SR-12187[F] dated 15/03/2022)

W.P.(MD) No.18003 of 2019

14.03.2022

SVS(CO)

GC(25.03.2022) 2P 4C