



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.19451 of 2019

and

W.P (MD)Nos.15893 and 15894 of 2019

P.Chelladurai

... Petitioner

Vs.

The Joint Registrar of Co-operatives,
Virudhunagar Zone,
Virudhunagar.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned notification of the respondent issued in advertisement No.2/2019 dated 09.08.2019 insofar M.Reddiapatti Primary Agricultural Co-operative Credit Society and quash the same as illegal.

For Petitioner	: Mr.T.Leninkumar
For Respondent	: Mr.M.Ramesh Government Advocate

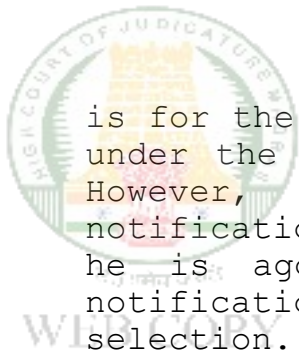
ORDER

The recruitment notification issued by the respondent in Advertisement No. 2/2019 dated 09.08.2019, is under challenge in the present writ petition.

2.The recruitment notification is selection and appointment for the post of Assistant/Clerk in the Co-operative Society. It was issued by the Common Cadre Authority. The petitioner is already working as a Salesman.

3.The grievance of the writ petitioner is that instead of promoting him to the post of Assistant/Clerk, the Common Cadre authority has issued the recruitment notification to select candidates through direct recruitment.

4.The learned counsel for the petitioner made a submission that the petitioner was promoted already, in any case, the petitioner is already working as an employee in the Co-operative Society and his promotional avenues are no way connected with the direct recruitment to the post. If at all special by-law contemplated or otherwise, it



is for the petitioner to approach the competent revisional authority under the provisions of the Tamil Nadu Co-operative Societies Act. However, the petitioner cannot challenge the recruitment notification, as he is already working in the Society and if at all he is aggrieved for the higher post as per the recruitment notification, he is also at liberty to participate in the process of selection. Contrarily, he cannot challenge the recruitment notification mainly on the ground that his promotion is to be considered before appointing the candidates through direct recruitment.

5.Thus, the writ petition is devoid of merits and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar(CS)

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To

The Joint Registrar of Co-operatives,
Virudhunagar Zone,
Virudhunagar.

+1 CC to M/s.SPL.GP (SR-20138[F] dated 21/04/2022)

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-20382[F] dated 22/04/2022)

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SS/06.05.2022 : 2P/4C