



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.21326 of 2019

and

WMP (MD)Nos.17975 and 17977 of 2019

Velmurugan

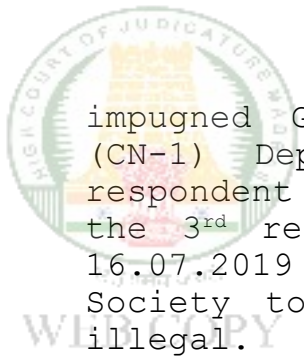
... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Cooperation, Food and Consumer
Protection (CN-1) Department,
Secretariat,
Fort St.George,
Chennai - 600 009.
- 2.The Registrar of Cooperative Societies,
Chennai.
- 3.The Joint Registrar of Cooperative Societies /
The Common Cadre Officer,
Office of the Joint Registrar of Cooperative Societies,
Tuticorin.
- 4.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Tuticorin.
- 5.The President,
TNSPL 49, Vallinayagipuram Primary
Agricultural Cooperative Credit Society Ltd.,
Vallinayagipuram,
Ottapidaram Taluk,
Thoothukudi District.
- 6.The President,
O.787 Veppalodai Primary Agricultural
Cooperative Credit Society Ltd.,
Veppalodai, Ottapidaram Taluk,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the



impugned G.O.Ms.No.14 Cooperation, Food and Consumer Protection (CN-1) Department, dated 12.02.2019, on the file of the 1st respondent and consequential impugned order of transfer passed by the 3rd respondent in Na.Ka.No.3651 of 2019 Tho.Ve.Sa(19), dated 16.07.2019 transferring the petitioner from the 5th respondent Society to the 6th Respondent Society and to quash the same as illegal.

For Petitioner :Mr.A.S.Vaigunth
For R1 to R6 :Mr.P.Thilak Kumar
Government Pleader,
Assisted by,
Mr.M.Ramesh,
Government Pleader

O R D E R

The petitioner is an employee of a Co-operative Society. He was working as Secretary. As he was coming under the common cadre service, the Joint Registrar of Co-operative Society, Thoothukudi, passed an order of transfer, transferring the writ petitioner from Vallinayagipuram Primary Agricultural Co-operative Credit Society to Veppalodai Primary Agricultural Cooperative Credit Society Ltd. The transfer order was passed on 16.07.2019.

2. The learned Government Pleader now brought to the notice of this Court that during pendency of the writ petition, the writ petitioner was placed under suspension on 04.09.2020.

3. In view of the fact that the petitioner was placed under suspension, the order of transfer at this circumstances need not be interfered with nor the grounds raised deserves to be considered. More so, an order of transfer is incidental to service and the petitioner was transferred within the District. This being the factum, the writ petition deserves no merits consideration and accordingly, stands dismissed. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Deputy Registrar (A/c)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK



To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Cooperation, Food and Consumer
Protection (CN-1) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Registrar of Cooperative Societies,
Chennai.
- 3.The Joint Registrar of Cooperative Societies /
The Common Cadre Officer,
Office of the Joint Registrar of Cooperative Societies,
Tuticorin.
- 4.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Tuticorin.
- 5.The President,
TNSPL 49, Vallinayagipuram Primary
Agricultural Cooperative Credit Society Ltd.,
Vallinayagipuram,
Ottapidaram Taluk,
Thoothukudi District.
- 6.The President,
O.787 Veppalodai Primary Agricultural
Cooperative Credit Society Ltd.,
Veppalodai, Ottapidaram Taluk,
Thoothukudi District.

+1 CC to M/s.A.S.VAIGUNTH, Advocate (SR-9881[F] dated 03/03/2022)

+1 CC to M/s.SPL GP (SR-9742[F] dated 03/03/2022)

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