



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.23496 of 2019

W.M.P (MD).No.20127 of 2019

T.Suresh

... Petitioner

Vs

1.The Principal Secretary to Government,
Corporation, Food and Consumer Protection Department,
Secretariat, St.George Fort,
Chennai-600 009.

2.The Registrar of Co-operative Societies,
170, E.V.R.Periyar High Road,
N.V.Natarajan Maaligai,
Kilpauk, Chennai-600 010.

3.The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Collectorate Campus, Nagercoil,
Kanyakumari District.

4.The Management,
Kanyakumari District Central Co-operative Bank,
Nagercoil,
Kanyakumari District.

...Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take steps for upgrading the post of Managing Director from the cadre of Deputy Registrar of Cooperative societies to the Joint Registrar of cooperative societies and creating a post of Chief Revenue Officer in the cadre of Deputy Registrar in Kanyakumari District central cooperative bank after getting consent by the Elected Administrative Board and the General Body of the Bank in accordance with the proceedings of the 2nd respondent vide Na.Ka.no.466/2018 ma.va.pa 2 dated 19.01.2018.



WEB COPY

For Petitioner : Mr.S.Balamurugan
For 1 to 3 Respondents : Mr.M.Ramesh
Government Advocate
for RR1 to 3
For 4th Respondent : Mr.D.Shanmugaraja Sethupathi

O R D E R

The relief sought for in the present writ petition is to direct the respondents to take steps for upgrading the post of Managing Director from the cadre of Deputy Registrar of Cooperative societies to the Joint Registrar of cooperative societies and creating a post of Chief Revenue Officer in the cadre of Deputy Registrar in Kanyakumari District Central Co-operative Bank, after getting consent by the Elected Administrative Board and the General Body of the Bank in accordance with the proceedings of the 2nd respondent vide Na.Ka.no.466/2018 ma.va.pa 2 dated 19.01.2018.

2. The petitioner is the General Secretary of Kanyakumari District Central Co-operative Bank Employees Union. The Union has filed the present writ petition for the relief to upgrade the post of the Managing Director from the cadre of the Deputy Registrar of Co-operative Societies to the Joint Registrar of Co-operative Societies. Such a relief sought for in the present writ petition cannot be considered, in view of the fact that the Central Co-operative Bank Employees Union is no way connected with the designation of the Government Officials, who are deputed to function as Managing Director or Special Officer in the Co-operative Bank. The Managing Director or Special Officer is appointed based on financial transactions of a particular Bank and therefore, any up-gradation is to be done by way of policy by the Government. Certainly, the Employees Union is unconnected with the administration affairs of the Government Department (i.e.,) Co-operative Department.

3. In the present case, the service conditions of the members of the petitioner's Union are no way connected with the service conditions of the Government Officials, who are deputed to function as Managing Director or Special Officer in the Central Co-operative Bank. When none of the service conditions are violated or the petitioner has not established any grievance, no writ needs to be entertained. Thus, this Court is of the considered opinion that the petitioner has not established even a semblance of legal right for the purpose of entertaining a writ petition. Up-gradation of post is no way connected with the petitioner's Union.



4. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar(CS)

ssb

To:

1.The Principal Secretary to Government,
Corporation, Food and Consumer Protection Department,
Secretariat, St.George Fort,
Chennai-600 009.

2.The Registrar of Co-operative Societies,
170, E.V.R.Periyar High Road,
N.V.Natarajan Maaligai,
Kilpauk, Chennai-600 010.

3.The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Collectorate Campus, Nagercoil,
Kanyakumari District.

4.The Management,
Kanyakumari District Central Co-operative Bank,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-21142[F]
dated 26/04/2022)

+1 CC to M/s.SPL.GP. (SR-21201[F] dated 26/04/2022)

+1 CC to M/s.S. BALAMURUGAN, Advocate (SR-21127[F] dated 26/04/2022
)

W.P. (MD) No.23496 of 2019

25.04.2022

_RD(11.05.2022) 3P 8C