



WEB COPY



W.P.No.33092 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.33092 of 2012 and
WMP.No.3854 of 2017 & MP.No.1 of 2012

S.K.Arumugam

... Petitioner

Vs.

- 1.The Registrar,
Co-operative Society,
No.170, EVR High Road,
Kilpauk, Chennai 600 010
- 2.The Joint Registrar,
Joint Registrar Office,
Kannagi Street,
Thiruvallur Colony,
Erode 638 003
- 3.The Special Officer,
Erode District Co-operative Society,
Periyar Nagar, Erode 638 001
- 4.The Manager,
R.Arul Jyothi Mani,
Erode District Co-operative Society,
Periyar Nagar,
Erode 638 001

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the second respondent to dispose of the petitioner's representation dated 27.02.2012 regarding posting Manager.



W.P.No.33092 of 2012

For Petitioner : Mr.M.Murugesan

For Respondents

For R1 & 2 : Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

For R3 : Mr.T.P.Savitha

For R4 : Mr.M.Liagat Ali

ORDER

This writ petition has been filed for direction to the second respondent to dispose of the petitioner's representation dated 27.02.2012.

2. Heard, the learned counsel appearing on either side.

3. On perusal of the representation of the petitioner, it is seen that the petitioner is seeking to cancel the appointment of the 4th respondent as Manager in Erode District Co-operative Society on the ground that he had no required educational qualification.

4. On perusal of the counter filed by the second respondent revealed that the fourth respondent had joined the services of the third respondent society on 27.01.1984 as Clerk through employment



W.P.No.33092 of 2012

exchange. His appointment is absolutely legal and in accordance with the bye-laws of the third respondent Society. As per the Special bye-laws governing the service conditions of the third respondent Society, the eligibility for the post of Clerk is a pass in SSLC examination eligible for college course or eligible for appointment under State service, and a full course of training undergone in a recognised Cooperative Institute. Accordingly, the fourth respondent got all the qualifications as stipulated above. In fact, the fourth respondent had completed 11th standard SSLC and also completed Co-operative Supervisor Training from Ramalingam Cooperative Institute, Coimbatore recognised by the Tamilnadu Cooperative Union, Madras.

5. That apart, the 4th respondent had completed foundation course-second year from Madurai Kamarajar Open University during the year 1981, M.Com in Co-operative Management from Annamalai University in the year 2013, Diploma in Computer Application from Tamilnadu Cooperative Union in the year 2007 and PG Diploma in Value Education from Annamalai University in the year 2011. Therefore,



W.P.No.33092 of 2012

WEB COPY

he is fully qualified to be appointed as Manager of the third respondent Society. Hence, the prayer sought for in this writ petition cannot be considered. As such, this writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

08.09.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
lok



W.P.No.33092 of 2012

To
WEB COPY

- 1.The Registrar,
Co-operative Society,
No.170, EVR High Road,
Kilpauk, Chennai 600 010
- 2.The Joint Registrar,
Joint Registrar Office,
Kannagi Street,
Thiruvallur Colony,
Erode 638 003
- 3.The Special Officer,
Erode District Co-operative Society,
Periyar Nagar, Erode 638 001
- 4.The Manager,
R.Arul Jyothi Mani,
Erode District Co-operative Society,
Periyar Nagar,
Erode 638 001
- 5.The Government Advocate,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

lok



WEB COPY



W.P.No.33092 of 2012

W.P.No.33092 of 2012

08.09.2023