



W.P(MD)Nos.7720 & 10293 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.7720 & 10293 of 2023

and

W.M.P(MD)Nos.7158, 7159 & 9145 of 2023

W.P(MD)No.7720 of 2023:

- 1.S.Barathi
 - 2.M.Ravimoorthi
 - 3.V.Vinayagamoorthy
- (P.2 & P.3 are impleaded vide order
of this Court dated 27.04.2023 in
W.M.P(MD)No.9638 of 2023)*

... Petitioners

Vs

- 1.The State represented by
The Principal Secretary to Government,
Co-operation, Food and Consumer Protection
Department,
Fort St.George,
Chennai.
- 2.The Registrar of Co-operative Societies,
No.170, EVR Periyar High Road,
Kilpauk,
Chennai – 600 010.



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3. Tamil Nadu Co-operative State Agriculture
and Rural Development Bank Limited,
Through its Managing Director,
No.181, Luz Church Road,
Mylapore,
Chennai – 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned proceeding of the third respondent dated 20.03.2023 rejecting the petitioner's request for promotion and consequently direct the respondents to promote from the post of Assistant Development officer to Assistant Managers and then as Managers within the time stipulated by this Court with all service, monetary and attendant benefits.

For Petitioners : Mr.VR.Shanmuganathan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

W.P(MD)No.10293 of 2023:

S.Loganathan

... Petitioner

Vs

1. The State represented by
The Principal Secretary to Government,
Co-operation, Food and Consumer Protection
Department,
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Chennai.



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2.The Registrar of Co-operative Societies,
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Kilpauk,
Chennai – 600 010.

3.Tamil Nadu Co-operative State Agriculture
and Rural Development Bank Limited,
Through its Managing Director,
No.181, Luz Church Road,
Mylapore,
Chennai – 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to promote from the post of Assistant Development Officer to Assistant Managers and then as Managers within the time stipulated by this Court with all service, monetary and attendant benefits.

For Petitioner : Mr.VR.Shanmuganathan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

COMMON ORDER

Heard the learned counsel on either side.

2. The order impugned in this writ petition does not warrant interference.

It only states that the post of Manager will have to be filled up by the feeder grade of Assistant Manager. As of now the petitioners were holding the post of



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Assistant Development Officer. They are yet to be promoted as Assistant Managers. For this reason, I decline to interfere with the impugned order.

3. At present, there are vacancies in the post of Assistant Manager. The petitioners are very much in the feeder grade. The third respondent is directed to consider the petitioners' application for being promoted as Assistant Managers. It is stated that as per bye-laws non-graduates cannot be considered for promotion to the post of Assistant Manager. It appears that proposal is pending with the first respondent to enable even non-graduates be promoted. Since vacancies have arisen, it is the petitioners who will have to be considered first. Therefore, the third respondent is directed to consider the petitioner's request for being promoted as Assistant Manager. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

4. These writ petitions are disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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To

- 1.The Principal Secretary to Government,
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No.170, EVR Periyar High Road,
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G.R.SWAMINATHAN, J.

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