



W.P.(MD).No.25137 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25137 of 2023

M.Balamurugan (Clerk)
SP.SPL – 24, Kanjampatti Primary Agricultural
Co-operative Credit Society Limited,
1/745, North Street, Sattur Taluk,
Virudhunagar District.

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
The Chairman,
Common Cadre Authority,
Virudhunagar Region,
Virudhunagar.
2. The Deputy Registrar of Co-operative Societies,
Srivilliputhur,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner, dated 03.08.2023 and to promote him to the post of Secretary in par with the other candidates promoted vide the proceedings of the first respondent in Na.Ka.1452/2022 Tho Ve Sa(1), dated 17.10.2022, and or any other direction, order, etc,



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suitable to the facts and circumstances of the case.

For Petitioner : Mr.M.Ganesan

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present Writ Petition has been filed by a Clerk working in a Co-operative Society seeking promotion to the post of Secretary (Common Cadre Post). Though he is eligible to be appointed as a Secretary, that appointment has been delayed due to the pendency of surcharge proceedings.

2. However, according to the learned counsel appearing for the writ petitioner, the surcharge proceedings have culminated in favour of the writ petitioner on 02.02.2023 and there is no impediment for the authorities to consider his name for promotion. The petitioner has given a representation to the first respondent on 03.08.2023 seeking promotion to the post of Secretary.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



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4. In view of the above said facts, this Court directs the first respondent herein to consider the representation of the writ petitioner, dated 03.08.2023 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

03.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Joint Registrar of Co-operative Societies,
The Chairman,
Common Cadre Authority,
Virudhunagar Region,
Virudhunagar.
2. The Deputy Registrar of Co-operative Societies,
Srivilliputhur,
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