



W.P.(MD).No.26539 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26539 of 2023

and

W.M.P(MD) No.22816 of 2023

P.Kannan

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
EVR Maligai,
Kilpauk, Chennai – 10.
2. The Joint Registrar of Co-operative Societies,
Chairman of District Recruitment Bureau,
Theni Region,
Bungalowmedu,
Theni Post and District.
3. The Deputy Registrar of Co-operative Societies (PDS)
Office of the Deputy Registrar of Co-operative Societies,
Bunglowmedu,
Theni Post and District.
4. The Administrator,
A 1271 Odaipatti Primary Agricultural Co-operative
Credit Society, Odaipatti Post,
Uthamapalayam Taluk,
Theni District.



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5. The Administrator,
DD 125 Venkatachalapuram Primary
Agricultural Co-operative Credit Society,
Venkatachalapuram (Post)
Theni Taluk and District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 4 to continue the post of Salesman in the fourth respondent Society for a period of three years as per the second respondent proceedings in Na.Ka.No. 1460/2022 Tho.Va, dated 28.04.2023 and consider the petitioner's representation, dated 20.10.2023.

For Petitioner : Mr.B.Kumaresan

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present Writ Petition has been filed by a Salesman working on deputation in the fourth respondent Society seeking a mandamus that he should be retained in the fourth respondent Society.



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2. The petitioner was originally appointed as a Salesman in the fifth respondent Society. In view of the non availability of staff in the fourth respondent Society, the second respondent has passed an order, on 28.04.2023 deputing the writ petitioner to the fourth respondent Society. Now it is the apprehension of the writ petitioner that the fourth respondent, namely, the Administrator of the said Society is attempting to terminate his services and trying to repatriate him back to the fifth respondent parent Society without getting prior permission or any orders from the second respondent.

3. It is needless to point out that the fourth respondent will have power to exercise jurisdiction only with regard to the employees of the fourth respondent Society. In case, if the fourth respondent wants to repatriate the writ petitioner back to the fifth respondent Society, the same can be done only through the orders of the second respondent herein.



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4. With the said clarification, this Writ Petition stands disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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

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R.VIJAYAKUMAR,J.

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