



W.P.(MD).No.30198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30198 of 2023

and

W.M.P(MD) No.26029 of 2023

K.Kumari Selvan

... Petitioner

Vs.

1. The Principal Secretary to Government
Cooperation, Food and Consumer Protection Department,
St.George Fort, Chennai – 09.
2. The Registrar of Co-operative Societies,
170, Poonamallee High Road,
Kilpauk, Chennai – 600 010.
3. The Joint Registrar of Co-operative Societies,
Collectorate Campus,
Nagercoil.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from filling up the post of Assistants in Co-operative Societies by direct recruitment through the District Recruitment Bureau in the State.



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For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.Veerakathiravan
Assisted by
Mr.J.Ashok
Additional Government Pleader

ORDER

The present writ petition has been filed by a General Secretary of the Tamil Nadu Public Distribution System Employees Union, seeking a mandamus forbearing the respondents authorities from filling up the post of Assistants in Co-operative Societies by direct recruitment.

2. According to the learned counsel appearing for the writ petitioner, a notification has been issued on 10.11.2023 by the District Recruitment Bureau for recruiting to the post of Assistants in various Co-operative Societies. The learned counsel appearing for the petitioner further submits that any appointment of Assistants through direct recruitment would affect the promotional opportunity and hence, they are seeking a mandamus forbearing the authorities to fill up the said post.



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3. A perusal of the affidavit indicates that the petitioner has not challenged the Recruitment Notification or the Government Order or the Special by Law of the concerned Society which permits direct recruitment on 1:1 basis. That apart, the petitioner herein is working as Salesman in Tamil Nadu Public Distribution System (PDS) shop and the next level of promotion is manual salesman in Society and only thereafter, they are likely to be promoted as Assistants. Therefore, as on today, they are not in the feeder category to the post of Assistants.

4. In view of the above said facts, this Court does not find any merit in the writ petition. Accordingly, this Writ Petition is dismissed with liberty to the writ petitioner to challenge the Government Orders, if he is so advised. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

19.12.2023

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