



W.P(MD)No.30384 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30384 of 2023

and

W.M.P(MD)No.26162 of 2023

S.Bharathi

... Petitioner

Vs.

1.The Zonal Joint Registrar,
Office of the Zonal Joint Registrar Office,
Sivagangai,
Sivagangai District.

2.The Deputy Registrar,
Karaikudi Region,
Office of the Deputy Registrar Office,
Govindarajan Road,
Arunachalam Nagar,
Karaikudi,
Sivagangai District.

3.The Secretary,
N.N.597 Anumanthakudi Primary
Agriculture Co-operative Credit Society,
Anumanthakudi,
Sivagangai 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 to



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consider petitioner for the promotion to the post of Clerk in the third respondent's Society, namely, N.N.597 Anumanthakudi Primary Agriculture Co-operative Credit Society, Anumanthakudi, Sivagangai District vide representation, dated 06.12.2023.

For Petitioner : Mr.S.Maruthu Pandian

For R-1 & R-2 : Mr.Veera. Kathiravan
Additional Advocate General
Assisted by
Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed by an Attendar working in the third respondent Co-operative Society seeking a Mandamus to promote her to the post of Clerk in the said Society.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner is the senior most Attendar to be promoted to the post of Clerk / Assistant. However, her request has not been considered. The petitioner has sent a representation on 06.12.2023 seeking the said relief. Since the said request has not been considered, the present writ petition has been filed.



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3. The learned Additional Advocate General appearing for the official respondents brought to the notice of the Court that there are only two posts of Clerk / Assistant in the third respondent Society. Out of the two posts, one has to be filled up by promotion from Attendar and the other to be filled up through Direct Recruitment. As far as the promoted vacancy is concerned, it has already been filled up through one M.Sankar Ganesh by way of an order, dated 01.02.2022. Therefore, as on today, there is no vacancy for the writ petitioner to be promoted as a Clerk / Assistant. The learned Additional Advocate General further brought to the notice of the Court that the petitioner has filed an appeal before the second respondent herein on 11.12.2023 challenging the promotion granted to the said Sankar Ganesh.

4. The facts narrated above will clearly establish that as on today, there is no vacancy in Clerk / Assistant post for granting promotion to the writ petitioner. In case if she succeeds in her appeal filed before the Deputy Registrar, she can renew her request before the respondent authorities.



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5. With the above said observation, this writ petition stands disposed of.

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

20.12.2023

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

To

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Sivagangai District.
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Office of the Deputy Registrar Office,
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R.VIJAYAKUMAR, J.

BTR

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