



Writ Petition No.11760 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11760 of 2023

and

W.M.P.No.11654 of 2023

U.R.Dhavamani

... Petitioner

Vs.

1.The Additional Registrar of
Co-operative Societies (Chennai Region),
91, St.Mary's Road,
Abhiramapuram,
Chennai - 600 028.

2.The Additional Registrar/Managing Director,
Tamil Nadu Co-operative Union,
N.V.Natarajan Maligai,
170, Periyar E.V.R. Salai,
Kilpauk, Chennai - 600 010.

3.Tmt.B.Mala

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the proceedings in Na.Ka.4460/2019/E9 Revision Petition No.7 of 2019, dated 10.10.2022 of the first respondent and quash the same.

For Petitioner : Mr.K.V.Ananthakrishnan



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For Respondents : Mr.M.Rajendran,
Additional Government Pleader
[R1 & R2]
Mr.R.Bala Ramesh [R3]

ORDER

This writ petition has been filed challenging the proceedings of the first respondent in Revision Petition No.7 of 2019, dated 10.10.2022.

2. Heard Mr.K.V.Ananthakrishnan, learned counsel for petitioner, Mr.M.Rajendran, learned Additional Government Pleader appearing for respondents 1 and 2 and Mr.R.Bala Ramesh, learned counsel for third respondent.

3. The petitioner joined in the Industrial Training Institute as a Junior Training Officer on 14.09.1992. The third respondent also joined on the same day as Assistant Training Officer (computer) at Bargur. It is relevant to point out that the post of Junior Training Officer is the feeder post to the post of Assistant Training Officer.

4. The petitioner and third respondent were working at different



places and all the societies were merged with the Tamil Nadu Co-operative Union. As a result, the cadre strength provided for Assistant Training Officer was reduced to three. The third respondent was found to be a surplus staff. Therefore, according to the petitioner, the third respondent cannot be retained in that post. As a consequence, it was contended that if a vacancy arises for the post of Assistant Training Officer, the petitioner alone should be considered in the regular vacancy. That apart, for the next promotion post of Assistant Director, the feeder post is Assistant Training Officer and only the petitioner must be considered for further promotion also since the third respondent has been rendered to be a surplus staff.

5. The above claim made by the petitioner was agitated before the Tribunal and the same was rejected by an order dated 10.10.2022, which has been challenged in the present writ petition.

6. In the considered view of this Court, the claim made by the petitioner is wholly unsustainable and too farfetched. The petitioner, who is admittedly holding a lower post than the third respondent, has not even reached the position of Assistant Training Officer. The petitioner is trying



to completely efface the third respondent from the scene on the ground that the third respondent is occupying a post, which has been rendered surplus.

7. In the first place, the petitioner does not have any legal right to claim for the post of Assistant Training Officer by disregarding the third respondent. The third respondent has joined the said post on 14.09.1992 when the petitioner joined in the feeder post and if at all, a vacancy arises in future and assuming that the third respondent was found to be surplus, it is the third respondent, who will be first accommodated in that vacancy and not the petitioner. The petitioner not stopping with that, is making a further claim for the post of Assistant Director when she has not even become a Assistant Training Officer.

8. The petitioner has engaged herself in a wild goose chase for positions, which have not been held by the petitioner. There are absolutely no merits in this writ petition.

Accordingly, this writ petition is dismissed. No costs.



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Consequently, connected miscellaneous petition is closed.

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21.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

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N.ANAND VENKATESH, J



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