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Writ Petition No.24143 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24143 of 2024

&

W.M.P.No.26400 of 2024

B.John Bosco
S/o.Mr.Benjamin

... Petitioner

Vs.

1. The Chairman / Joint Registrar of Cooperative Societies,
Tiruvannamalai District, Recruitment Bureau,
for Cooperative Societies, Tiruvannamali Region.
Thiruvannamalai - 606 604.

2. The Deputy Registrar of Cooperative Societies,
Personal Officer/Controller of Examinations,
Thiruvannamalai District Recruitment Bureau
for Cooperative Societies,
Thiruvannamalai - 606 604.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent in Na.Ka.8424/2022/DRB/11 dated 24.11.2023 and quash the same and consequently direct the respondents to implement their earlier order Na.Ka.8424/2022/DRB/7 dated 24.11.2023, posting the petitioner in the Thiruvannamalai District Consumer Cooperative Wholesale Store Ltd.

For Petitioner : Mr.L.P.Shanmugasundaram



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For Respondents : Mr.P.Ganesan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the second respondent in Na.Ka.8424/2022/DRB/11 dated 24.11.2023 and consequently, direct the respondents to implement the earlier order in Na.Ka.8424/2022/DRB/7 dated 24.11.2023.

2. The grievance of the petitioner is that he was originally posted at Salavedu Primary Agricultural Co-operative Credit Society and he was working there from 27.09.2023 to 22.10.2023. Thereafter, the second respondent issued proceedings dated 24.11.2023 by directing the petitioner to report duty at Tiruvannamalai District Consumer Cooperative Wholesale Stores. On the same day, yet another proceedings was issued to the petitioner stating that the re-posting order to Tiruvannamalai stands cancelled. Thereafter, the petitioner did not get any posting order. He made several representations in this regard. However, there was no response and as a result, the petitioner was not able to get any posting order. It is under these circumstances, the present writ petition has been filed before this Court.



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3. Heard Mr.L.P.Shanmugasundaram, learned counsel for petitioner and Mr.P.Ganesan, learned Additional Government Pleader appearing for respondents.

4. Learned Additional Government Pleader appearing for respondents produced the written instructions/position note received from the second respondent. The position note is extracted hereunder:

"The notification for direct recruitment to the post of Salesman in Fair Price Shops and Packer in Fair Price Shops in Public Distribution System under the control of Registrar of Cooperative Societies in Tiruvannamalai district was issued vide Notification No.01/2022/DRB/TVM, dated 13.10.2022 eligible application was received through online mode in Tiruvannamalai District Recruitment Bureau website <http://drbtvmalai.net> up to 5.45PM of 14.11.2022. For the 362 Post of Salesman 20,029 applications had been received and hall tickets had been issued to 19259 eligible applicants, and for 14 post of Packers 2593 applications had been received and hall tickets had been issued to 2446 eligible applicants. The petitioner had applied to this notification for the post of salesman and his application number was 27119645, he had been selected in this recruitment and he had been allocated to H H 540 Salavedu Primary Agricultural Cooperative Credit Society vide 2nd respondent proceeding RC 8424/2024/DRB/266, dated 21.09.2023. The administrator of the H H 540 Salavedu Primary Agricultural Cooperative Credit Society issued posting order to the petitioner vide proceeding dated 27.09.2023 in which he had been order to work in the Keelseesamangalm - 05DP038PN fair price shop. He joined as salesman on 27.09.2023 in the above said shop of H H 540 Salavedu Primary Agricultural Cooperative Credit Society which is under the control of Deputy Registrar of Cooperative Societies, Cheyyar circle. Without intimating his joining status to



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Tiruvannamalai District Recruitment Bureau he made a request to this recruitment bureau to revise his allotment for his family circumstances. Based on his request the 2nd respondent issued revised allotment in proceeding RC 8424/2024/DRB/7, dated 24.11.2023. When his revised allotment was communicated to H H 540 Salavedu Primary Agricultural Cooperative Credit Society, the administrator of the paccs intimated that he already joined as salesman in H H 540 Salavedu Primary Agricultural Cooperative Credit Society on 27.09.2023 in the Keelseesamangalm - 05DP038PN fair price shop. Since the petitioner had already joined in his 1st allotment order the revised allotment order issued to the petitioner had been cancelled in proceeding RC 8424/2024/DRB/11, dated 24.11.2023. The petitioner shall resume to his duty in the Keelseesamangalm - 05DP038PN fair price shop of H H 540 Salavedu Primary Agricultural Cooperative Credit Society since he joined already as salesman on 27.09.2023 and so there's no provision to consider the petitioner's representation."

5. It is clear from the above that the second respondent has now acted upon the revised allotment order dated 24.11.2023 and the petitioner has been asked to resume duty at Keelseesamangalm fair price shop at HH 540 Salavedu Primary Agricultural Cooperative Credit Society. This is where the petitioner was originally working from 27.09.2023.

6. In the light of the above development, the petitioner shall resume duty at Keelseesamangalm. If the petitioner wants him to be transferred to any other fair price shop, it is left open to the petitioner to



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submit a representation to the second respondent by assigning proper reasons, which will be considered on its own merits and in accordance with law.

This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

28.08.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

1. The Chairman / Joint Registrar of Cooperative Societies,
Tiruvannamalai District, Recruitment Bureau,
for Cooperative Societies, Tiruvannamali Region.
Thiruvannamalai - 606 604.
2. The Deputy Registrar of Cooperative Societies,
Personal Officer/Controller of Examinations,
Thiruvannamalai District Recruitment Bureau
for Cooperative Societies,
Thiruvannamalai - 606 604.

N.ANAND VENKATESH, J

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