



W.P.(MD)No.1035 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.1035 of 2016

R.Kannan

: Petitioner

Vs.

1.The Registrar of the Cooperative Societies,
O/o. The Registrar of the Cooperative Societies,
Kilpauk,
Chennai.

2.The Joint Registrar of the Cooperative Societies,
Thanjavur Region,
Thanjavur.

3.The General Manager,
Thanjavur Central Cooperative Bank,
Thanjavur.

4.The President,
T 1702 Thittai Primary Agricultural Cooperative Society,
Thittai Post Office,
Thanjavur Taluk,
Thanjavur District.

: Respondents

*[R4 is impleaded vide Court order dated 30.06.2023
in W.M.P.(MD)No.12952/2023]*



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 3 to absorb the petitioner as an Assistant in third respondent Bank based on the representation dated 01.12.2015.

For Petitioner : Mr.Mohammed Imran
for M/s.Ajmal Associates
For Respondents 1 & 2 : Mr.S.Kameswaran
Government Advocate
For Respondent No.3 : Mr.D.Shanmugaraja Sethupathi
Standing Counsel
For Respondent : No appearance

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to absorb the petitioner as Assistant in the third respondent bank based on his representation dated 01.12.2015.

2.A counter affidavit has also been filed by the respondents disputing the contentions of the petitioner in this Writ Petition.

3.The petitioner seeks for his absorption in the third respondent bank based on his long years of service in the third



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respondent Bank. However, the respondents as seen from their counter affidavit would categorically contend that the petitioner is not entitled for absorption as such an absorption will be contrary to the provisions of Tamil Nadu Cooperative Societies Act, 1983.

4.However, this Court is of the considered view that since the petitioner's representation was not considered prior to the filing of this Writ Petition, no prejudice will be caused to the third respondent if the petitioner's representation seeking for his absorption in the third respondent Bank is considered on merits and in accordance with law by the third respondent.

5.This Court is not expressing any opinion on the merits of the petitioner's contentions in this Writ Petition. It is for the third respondent to decide one way or the other with regard to the petitioner's representation seeking for his absorption in the third respondent Bank on account of his alleged long years of service in the third respondent Bank.

6.For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 01.12.2015 seeking for his absorption as an Assistant in the third respondent Bank on merits and in accordance with law within a



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period of twelve [12] weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

23.09.2024

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



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ABDUL QUDDHOSE, J.

MR

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