



W.P.(MD).No.21774 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21774 of 2024

and

W.M.P(MD) No.18393 of 2024

Velvezhi

... Petitioner

Vs.

1. The District Collector,
Kanniyakumari District,
At Nagercoil.
2. The Deputy Registrar of Co-operative Societies,
Nagercoil,
Kanniyakumari District.
3. The Joint Registrar of Co-operative Societies,
Nagercoil,
Kanniyakumari District.
4. The Special Officer,
Ootuvalmadam Primary Agricultural
Co-operative Credit Society Y-296,
Ootuvalmadam,
Nagercoil,
Kanniyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the fourth



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respondent reconsider the resolution No.1, dated 05.12.2023, on his file and permit the petitioner to continue as a Salesman in the Ootuvalmadam Primary Agricultural Co-operative Credit Society Y-296, Nagercoil, by considering the petitioner's representation dated 04.09.2024.

For Petitioner : Mr.S.Ayyanar Prem Kumar

For R1 to R3 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant writ petition has been filed by a Salesperson working in a Fair Price Shop seeking a Mandamus as against the Society which is running the Fair Price Shop to reconsider the resolution to transfer the said Fair Price Shop to another Society.

2. According to the learned counsel appearing for the writ petitioner, she along with three other employees are working as salespersons in a Fair Price Shop run by the fourth respondent Society. However, the fourth respondent Society has passed a resolution on 05.12.2023, dissolving to transfer the Fair Price Shop to another Society. The grievance of the writ petitioner is that, in case, if the Fair Price Shop is taken over by another



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Society, their seniority and promotional opportunity would get affected.

Hence, the employees have sent a representation to the Society on 04.09.2024. Since the said request has not been considered, the present writ petition has been filed.

3. Even though it is the prerogative of the Society to transfer the Fair Price Shop to another Society, considering the promotional opportunity and the seniority of the writ petitioner, there shall be a direction to the fourth respondent Society, to consider the representation of the petitioner dated 04.09.2024 and to take a decision on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

12.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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