



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21914 of 2024

and

W.M.P(MD)No.18564 of 2024

Priya Pushpa Rani

... 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
Cooperative Credit Society Y-296,
Ootuvalmadam,
Nagercoil, Kanniyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, direct the 4th 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, Nagarcoil, by considering the petitioner's representation
04.09.2024.

For Petitioner : Mr.S.Ayyanar Prem Kumar
For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1 to R3

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 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.



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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.
No costs. Consequently, connected miscellaneous petition is also closed.

13.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



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To

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Kanniyakumari District at Nagercoil.

2.The Deputy Registrar of Co-operative Societies,
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Cooperative Credit Society Y-296,
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R.VIJAYAKUMAR, J.

RJR

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