



Writ Petition(MD)No.23129 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Tuesday the Third day of December Two Thousand and Twenty Four

PRESENT
The HONOURABLE MR. JUSTICE B.PUGALENDHI

Writ Miscellaneous Petition(MD).No19259 of 2024
in
Writ Petition(MD)No.23129 of 2017

K.Murugesan

..Petitioner

Vs.,

1.The Registrar of Co-Operative Societies,
Kilpauk, Chennai 600 010.

2.The Joint Registrar / Managing Director,
Sivagangai District Central Co-Operative Bank
Sivagangai. ..Respondents

Prayer in WMP(MD)No.19259 of 2024: This petition is filed under Section 226 of the Constitution of India, praying to set aside the order of disposal dated 09.09.2024 made in WP(MD)No.23129 of 2017 and restore the same on file.

Prayer in WP(MD). 23129/ 2017 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the 2nd respondent in his proceedings in RC.No. 5463/2006/E1, dated 04.12.2017 and quash the same as illegal.

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon



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hearing the arguments of Mr.Jenith Joshua for Mr.R.Prabhakaran, Advocate for the Petitioner, and of Mr.G.V.Vairam Santhosh, Additional Government Pleader for the Respondent, this Court made the following order:

“The petitioner, who was appointed as an Appraiser in the Sivagangai District Central Co-operative Bank has filed a writ petition in WP(MD) No.17956 of 2016, for a Mandamus, to direct the Joint Registrar/Managing Director of the Bank to promote him to the post of Assistant Manager with effect from 08.01.2013 and also sought for differential pay.

2. Pending the writ petition, the respondent Bank has issued a list of candidates to be promoted as Managers from the cadre of Assistant Managers, vide his proceedings in RC No.5463/2006/E1, dated 04.12.2017 and the same is challenged by this petitioner in another writ petition in WP(MD) No.23129 of 2017.

3.Mr. S.Kumar, learned Additional Government Pleader took notice for the respondents on 21.09.2016 in WP(MD) No.17956 of 2016. Mr.A.K.Baskara Pandian, learned Special Government Pleader took notice for the respondents on 18.12.2017 in WP(MD) No.23129 of 2017.



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4. On 30.03.2023, the Registry was directed to post these writ petitions together for hearing. On 09.08.2023, there was no representation for the petitioner. Subsequently, at the instance of the learned counsel for the petitioner, these writ petitions have been adjourned till 02.09.2024. Since there was no representation on 02.09.2024, these writ petitions were ordered to be listed on 09.09.2024 under the caption "for dismissal". On 09.09.2024, a representation was made by one Mr.J.Jeyakumaran, learned second named counsel that he was unable to get proper instructions from the first counsel on record, namely, Mr.R.Prabhakaran, who was in fact engaged by the petitioner. He has also filed a memo that he is not having any instructions from the petitioner. Recording the memo so filed, this Court has dismissed the writ petitions for non-prosecution, by order, dated 09.09.2024.

5. Now, WMP(MD) No.19259 of 2024 is filed by one Mr.R.Prabhakaran, learned counsel, on 20.09.2024 for restoration of the writ petition in WP(MD) No.23129 of 2017.

6. Today(03.12.2024), when this application is taken up for hearing, Mr.Jenith Joshua, learned counsel has appeared through video conference and requests for adjournment that Mr.Prabaharan, learned counsel, who has filed this



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restoration application is otherwise engaged.

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7.Since this petitioner is not prosecuting the case properly and this petitioner is not made out any case that the petitioner, being an Appraiser is eligible to be promoted as Assistant Manager, this Court is not inclined to entertain this Miscellaneous petition. Accordingly, this Miscellaneous Petition is dismissed. “

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/01/2025

Sub Assistant Registrar
(CS-I / II / III / IV)

VRN

TO

- 1.The Registrar of Co-Operative Societies,
Kilpauk, Chennai 600 010.
- 2.The Joint Registrar / Managing Director,
Sivagangai District Central Co-Operative Bank
Sivagangai.



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ORDER DATED : 03/12/2024

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O R D E R

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WMP(MD). No.19259 of 2024

IN

WP{MD).No.23129 of 2017

SI -(23.01.2025) 5P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.