



W.P.No.24352 of 2013

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.24352 of 2013

A.Rani

... Petitioner

Vs.

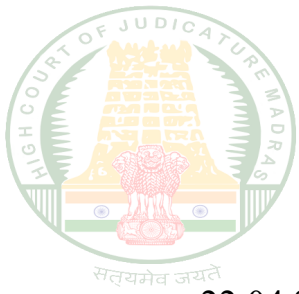
1.The Secretary to Government,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009.

2.The District Employment Officer,
Employment Office,
Palayapettai,
Krishnagiri – 635 001.

3.The Joint Registrar of Cooperative Societies,
Krishnagiri Region,
C/o.L.D.Bank,
Co.operative colony,
Krishnagiri – 635 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the District Employment Officer, Krishnagiri the second Respondent herein made in Ve.vu.Nee1/812/2013 dated



W.P.No.24352 of 2013

22.04.2013 quash the same and direct the second Respondent herein to sponsor the name of the Petitioner to the third Respondent for eventual notional appointment to the post of clerk in any of the societies coming under his control if necessary by relaxing the rules if any in her favour from the date on which her junior in terms of employment registration was appointed with all consequential continuity of service and all attendant monetary benefits and disburse all the arrears within a short date that may be fixed by this court.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.M.Muthuswamy
Government Advocate

ORDER

The Petitioner has filed this Writ Petition to call for the records relating to the Proceedings dated 22.04.2013 made in Ve.vu.Nee1/812/2013 by the 2nd Respondent/the District Employment Officer, Krishnagiri and quash the same and to direct the 2nd Respondent to sponsor the name of the Petitioner to the 3rd Respondent for notional appointment to the post of clerk in any of the societies coming under the control of the 3rd Respondent, if necessary by relaxing the rules if any in her favour from the date on which her junior was appointed in terms of



W.P.No.24352 of 2013

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employment registration with all consequential continuity of service and all attendant monetary benefits and to disburse all the arrears.

2. The case of the Petitioner is that the 2nd Respondent had sponsored candidates who had registered with the 2nd Respondent much later to the Petitioner overlooking the seniority of the Petitioner. It is submitted that the Petitioner had initially registered with the 2nd Respondent as early on 01.07.1991. Subsequently, the Petitioner completed +2 in the year 1993 and re-registered her name in the year 1993 on 16.06.1993 with the 2nd Respondent.

3. It is the further case of the Petitioner that the Petitioner thereafter completed B.A.History in the year 1997 and therefore registered her name again with the 2nd Respondent on 30.12.1997. It is further submitted that the Petitioner had also completed Diploma in Co-operation in the year 1999 and thus registered on 18.11.1999.

4. It is therefore submitted by the Petitioner that in response to the Recruitment Notification issued by the 3rd Respondent, the 2nd Respondent

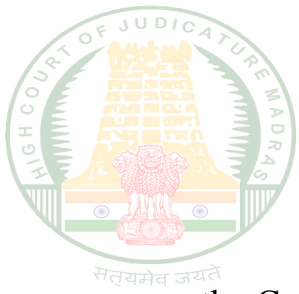


W.P.No.24352 of 2013

sponsored several other persons who had registered with the 2nd Respondent after the Petitioner and thus the Petitioner's legitimate right to being considered for appointment to the post has been ignored by the 2nd Respondent.

5. The learned counsel for the Petitioner further submits that there has been inordinate delay in sponsoring the name of the Petitioner by the 2nd Respondent. It is further submitted that one similarly placed person, Mrs.Kalarani submitted a Representation to various cooperative societies in Krishnagiri District and also to the Joint Registrar of Co-operative Societies, Dharmapuri and Krishnagiri under RTI Act, 2005 on 11.04.2012 to find out as to how many juniors of the said Mrs.Kalarani and the Petitioner in terms of employment seniority maintained by the 2nd Respondent have been sponsored for appointment to the post of Co-operative Clerk in the primary Co-operative Societies.

6. The learned Government Advocate for the Respondents has filed a Counter Affidavit without any categorical reply to the averments in the Affidavit filed in support of the Writ Petition. All that have been stated in



W.P.No.24352 of 2013

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the Counter Affidavit is that the name of the Petitioner is not sponsored for want of seniority because candidates registered upto 29.10.1996 under MBC category and upto 27.08.1997 under OC category were considered for nomination and that the Petitioner had registered her Diploma in Co-operation only on 18.11.1999. Hence, it is submitted that her name was not considered for nomination.

7. It is the submitted by the learned Government Advocate for the Respondents that there were no vacancies available and therefore the Petitioner's name was not considered. However, the communication filed by the Petitioner received from the Joint Registrar of Co-operative Societies dated 19.06.2013 enclosing a list of persons who have been sponsored indicates the persons who were junior to the Petitioner were also sponsored. Thus, there is a violation on the rights of the Petitioner and there has been an unfair discrimination against the Petitioner.

8. Under these circumstances, there shall be a direction to the Respondents to suitably accommodate the Petitioner, taking note of the age of the Petitioner and the qualification of the Petitioner, if required, suitable



W.P.No.24352 of 2013

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relaxation may be obtained from the government for appointing the Petitioner. This exercise shall be completed by the Respondents within a period of six months from the date of receipt of a copy of this order.

9. This Writ Petition stand disposed of with the above observations.

No costs.

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Neutral Citation : Yes/No

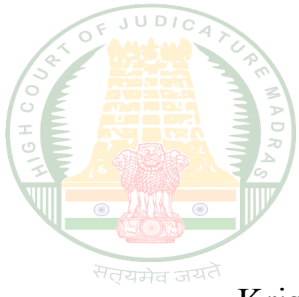
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To

1.The Secretary to Government,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009.

2.The District Employment Officer,
Employment Office,
Palayapettai,

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W.P.No.24352 of 2013

WEB COPY

Krishnagiri – 635 001.

3.The Joint Registrar of Cooperative Societies,
Krishnagiri Region,
C/o.L.D.Bank,
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Krishnagiri – 635 001.

C.SARAVANAN, J.

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W.P.No.24352 of 2013

W.P.No.24352 of 2013

07.03.2025
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