



W.P.No.31378 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.31378 of 2023

and

W.M.P.No.31007 of 2023

S. Revathi

.. Petitioner

Versus

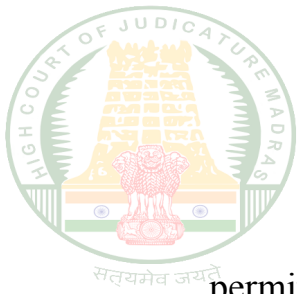
1. The Chairman/Joint Registrar of Co-operative Societies,
District Recruitment Bureau,
Beach Road, Manjakuppam, Cuddalore – 1

2. The Administrator,
Vadapuram Keelpathi Primary
Agricultural Co-operative Credit Society,
Vadapuram Keelpathi, Pudukadai,
Cuddalore Taluk & District.

3. The Administrator,
Vilvarayanatham Urban Co-operative Credit Society,
Pondy Road, Manjakuppam,
Cuddalore -1.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents



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permitting the petitioner to continue as Sales Woman in the 3rd Respondent Society by taking note of circular issued by the Registrar of Co-operative Societies, Kilpauk, Chennai – 600 010 in Na.Ka.No.72030/2022/Maa.Aa.Sae.Ni, dated 06.02.2023 and pass orders.

For Petitioner : Mr.C. Prakasam

For Respondents : Mr.S.Suresh Kumar, AAG
Assisted by Mr.S. Ravi Kumar, SGP

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus directing the respondents permitting the petitioner to continue as Sales Woman in the 3rd Respondent Society by taking note of circular issued by the Registrar of Co-operative Societies, Kilpauk, Chennai – 600 010 in Na.Ka.No.72030/2022/Maa.Aa.Sae.Ni, dated 06.02.2023 and pass orders.

2. The facts of the case is that the petitioner is working as Salesman in the second respondent organisation. The second respondent society is situated 30 km away from the residence of the petitioner, due to which the petitioner made a representation to the first respondent, who considered the same and deputed the petitioner to the 3rd respondent

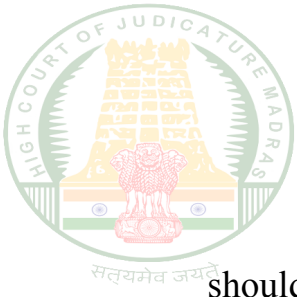


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society vide proceedings in No.Na.Ka.No.701/2011/Nu, dated 30.07.2020. Thereafter, the first respondent called for applications to fill up the post of sales man and appointed five candidates, due to which the petitioner was orally instructed to join duty in the second respondent society. The sum and substance of the case is that the Registrar of Co-operative Societies issued circular in his proceedings No.Na.Ka.No.72030/2022/Ma.Aa.S.Ni dated 06.02.2023, wherein, it is clearly stated that the Salesman should not be posted 20 km away from their residence. The grievance of the petitioner is that as per the order dated 06.02.2023 issued by the Registrar of Co-operative Societies in No.Na.Ka.No.72030/2022/Ma.Aa.S.Ni, the petitioner should be posted in the third respondent society only and the same was done by the Respondent, which has given rise to this petition.

3.The learned counsel for the petitioner submitted that the petitioner is a permanent employee of the society and he is deprived of his rights and the respondent has facilitated that the newly recruited candidates be posted in a appropriate place. If any transfer is made it



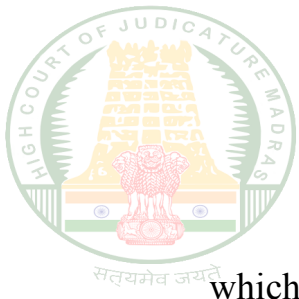
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should be given only in the form of writing and giving oral instruction is not fair and amounts to violation of principles of natural justice. Hence, prays to allow this petition.

4. The learned Government Advocate has filed a counter wherein it has been stated that in the circular dated 06.02.2023 it has been clearly stated that the incumbent who will be recruited through DRB in the near PDS shop within 20 kms from their residence and the same will not apply to the case on hand as the newly recruited Salesman are residing within 20 kms of the Third respondent UCCS.

5. Today when the matter is taken for hearing, the learned Additional Advocate General has produced a proceedings of the Joint Registrar issued on 02.03.2025, wherein it has been clearly stated that due to some administrative reasons, the transfer was made and the petitioner was orally intimated to work in the second respondent organisation. However, there is a vacancy in the society situated at Kilkurinjappti



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which falls under the radius of 20 km from the residence of the petitioner and they will pass orders deputing the petitioner in the said society, if this Court directs us to do so.

6. In view of the proceedings of the Joint Registrar issued on 02.03.2025, this Court directs the third respondent to depute the petitioner in the society situated at Kilkurinjappti. If the petitioner is not willing to join in the said society, the third respondent is at liberty to take necessary action in this regard. This Court directs the petitioner to abide by the instructions given by their superiors and act accordingly and the transfer to the society situated at Kilkurinjappti is also made on sympathetic grounds only and not by applying any rules or law. It is upto to the petitioner to make use of the transfer and join or agitate the matter unnecessarily and drag the proceedings.

7. With the above observations this writ petition stands disposed of. No order as to costs. Consequently, the connected miscellaneous



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petition is closed.

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Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
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To

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Beach Road, Manjakuppam, Cuddalore – 1

2. The Administrator,
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V.BHAVANI SUBBAROYAN, J.

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