



W.P.No.42723 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.42723 of 2025
and W.M.P.Nos.47788 and 47789 of 2025

Vembu

... Petitioner

-Vs-

1. The Joint Registrar,
Office of the Joint Registrar of Co-Operative Society,
Mohan Kumaramangalam Road,
Surampatti, Erode.

2. The Co-Operative Sub Registrar/
The Administrator,
No.K.770, Kempanayakkan Palayam Primary Agriculture
Co-Operative Credit Society,
Sathyamangalam Taluk,
Erode District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in Na.Ka.1818/2025/TVS (2) dated 16.10.2025 passed by the 1st respondent and the relieve order dated 24.10.2025 passed by the 2nd respondent and quash the same and consequently direct the respondents to re-transfer petitioner to original place at No.K.770, Kempanayakkan Palayam Primary Agriculture Co-operative credit society Gobi Division, Sathyamangalam Taluk, Erode.



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For Petitioner : M/s M.Kruthika
For R1 : Mr.A.Tamilvendan
Government Advocate
For R2 : Mr.E.P.Senniyangiri
Government Advocate

ORDER

This Writ Petition has been filed challenging the order of transfer passed by the first respondent dated 16.10.2025 and also the relieving order passed by the second respondent dated 24.10.2025, thereby relieving the petitioner from service.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed as a Sales woman through employment exchange and her service was regularized with effect from 06.10.1989 in the Periyakodiveri Primary Agriculture Co-operative Credit Society, Gobi taluk. Thereafter, she was promoted to the post of Junior Assistant and subsequently, promoted to the post of Senior Assistant. While being so, she was diagnosed with thyroid disorder and she has been taking treatment continuously. On 19.08.2024, she was promoted to the post of Secretary and transferred to Kempanayakkan Palayam Primary Agriculture Co-operative credit society Gobi



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Division, Sathyamangalam Taluk, Erode. While being so, the first respondent, by an order dated 16.10.2025, transferred the petitioner to Kavunthapadi Primary Agriculture Co-operative Credit Society, Bhavani Taluk, Erode.

4. The petitioner had raised only one ground that the first respondent, who passed an order of transfer has no jurisdiction to transfer the petitioner. The learned counsel for the petitioner relied upon the Primary Agriculture Co-operative Credit Society Rules, 2019. Rule 18 says as follows:-

*“ 18. **Post and Transfer:** (1) The transfer of the Common Cadre Employee may be made by the Common Cadre Authority suo-motu or at the request of the Primal Agricultural Co-operative Credit Societies concerned. The Common Cadre Authority shall order a transfer of a Common Cadre Employee when directed by the Registrar of Co-operative Societies. No Common Cadre Employee shall be posted to the parent society or to a Society which is situated in his native village:*

Provided that a Common Cadre Employee whose Parent Primary Agricultural Co-operative Credit Society is “A” Class shall be transferred only to “A” class Primary Agricultural Co-operative Credit Society. Similarly, a common cadre employee whose Parent Primary Agricultural Co-operative Credit Society is “B” class shall be transferred to “B” class Primary Agricultural Co-operative Credit Society and a common cadre employee whose Parent Primary Agricultural Co-operative Credit Society is “C” class shall be transferred to “C” class Primary Agricultural Co-operative Credit Society.

2. The Common Cadre Authority may also effect transfer on the ground of financial irregularity or mismanagement. ”



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5. Accordingly, the Common Cadre authority alone is the jurisdiction to transfer the Common Cadre Employee. Rule 3(4) says that for the first three years from the date of constitution of the Common Cadre of Service, the Joint Registrar of Co-operative Societies of the region concerned shall be the competent authority under the first proviso to sub-section (3) of Section 75 of the Act. From the fourth year onwards the Committee consisting of the Regional Joint Registrar: Chairman of Co-operative Societies of respective region, the Managing Director of the respective Central Co-operative Bank, the Circle Deputy Registrar of Co-operative Societies at the District headquarters and the President of the Primary Agricultural Co-operative Credit Society in the district with the highest working capital to be nominated by the respective Central Co-operative Bank shall be the competent authority in respect of Primary Agricultural Co-operative Credit Societies. Therefore, the first respondent is not the competent authority to transfer the petitioner.

6. In view of the above, only on this sole ground, the impugned orders cannot be sustained and are liable to be quashed. Accordingly, the order of transfer passed by the first respondent in Na.Ka.1818/2025/TVS (2) dated 16.10.2025 and also the relieving order passed by the second respondent dated



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24.10.2025 are hereby quashed.

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7. Accordingly, this writ petition stands allowed. Consequently, connected Miscellaneous petitions are closed. No costs.

07.11.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

1. The Joint Registrar,
Office of the Joint Registrar of Co-Operative Society,
Mohan Kumaramangalam Road,
Surampatti, Erode.
2. The Co-Operative Sub Registrar/
The Administrator,
No.K.770, Kempnayakkan Palayam Primary Agriculture
Co-Operative Credit Society,
Sathyamangalam Taluk,
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G.K.ILANTHIRAIYAN. J,

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