



WEB COPY



W.P.No.44483 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

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

W.P.No.44483 of 2025
and
W.M.P.Nos.49616 & 49617 of 2025

L.Vignesh

... Petitioner

-Vs-

1.The Principal Secretary to Government of Tamil Nadu,
Department of Cooperation, Food and Consumer Protection,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Registrar of Co-operative Societies,
N.V. Natarajan Maligai,
No.170, Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.

3.The Chairman,
State Recruitment Bureau,
For Apex Cooperative Institutions,
No.170, Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.

... 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 of the 3rd respondent in Notification No.01/2025 dated 06.08.2025 and the consequential provisional selection list for the post of Assistants/Junior Assistants in Apex Cooperative Institutions dated 06.11.2025 and quash the same as illegal, void and without jurisdiction since the entire recruitment process was made in violation of Sec.21-A of the Tamil Nadu Govt. Servants (Conditions of Service) Act, 2016; G.O.(Ms.)No.133, Human Resources



W.P.No.44483 of 2025

Management (M) Department dated 01.12.2021 and the Division Bench order of this Court in W.A.No.1650 and 1651 of 2024 dated 05.07.2024 upholding the above G.O. and consequently, direct the 3rd respondent herein to issue a fresh notification for recruitment to the post of Assistants/Junior Assistants in Apex Cooperative Institutions in strict compliance with Sec.21-A of the Tamil Nadu Govt. Servants (Conditions of Service) Act, 2016 and G.O.(Ms.)No.133, Human Resources Management (M) Department dated 01.12.2021.

For Petitioner : Mr.S.Sathiaseelan
For Respondents : Mrs.M.Geetha Thamaraiselvan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the notification, dated 06.08.2025 issued by the 3rd respondent and the subsequent provisional selection list for the post of Assistants/Junior Assistants in Apex Cooperative Institutions, dated 06.11.2025.

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

3. The 3rd respondent had issued the impugned notification, dated 06.08.2025, thereby inviting applications from eligible candidates for the post of Assistants and Junior Assistants in Apex Cooperative Institutions in Tamil Nadu. The petitioner had applied for the said posts and wrote the examination,



W.P.No.44483 of 2025

however he was not selected to the said posts. After having been agreed with the notification and participated in the selection process and after having been failed in the selection process, now the petitioner is challenging the very notification and the selection list on the ground that the 3rd respondent has not followed the condition in G.O.(Ms).No.133, Human Resources Management (M) Department, dated 01.12.2021. The said G.O. mandates all the recruiting agencies of Government of Tamil Nadu to conduct Tamil Eligibility-cum-Scoring Test as Part A. However, the impugned notification does not insist for any Tamil Eligibility Test as Part-A. Only after qualified in the Tamil qualifying examination, the candidates are eligible to write the other examinations. In fact, the said G.O. was also upheld by this Court and confirmed by the Hon'ble Supreme Court. Even then, the 3rd respondent failed to conduct Tamil Eligibility test for any recruitment process.

4. From a perusal of the written instructions and also on the submissions made by the learned Special Government Pleader appearing for the respondents, it was revealed that the petitioner invoked the provision u/s 21(A) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 (in short 'the Act') which is applicable to posts that draw salary from the Consolidated Fund of the Government of Tamil Nadu, i.e., Government departments and their



W.P.No.44483 of 2025

subordinate offices. But, the State Recruitment Bureau is not the recruiting agency of the Government of Tamil Nadu. The Government u/s 74 of the TNCS Act, 1983, have constituted the State Recruitment Bureau at the state level for recruitment of such categories of paid officers and servants and servants for employment by such class or classes or category of registered societies as may be prescribed and it is an autonomous recruiting body, constituted exclusively for filling posts in Cooperative Institutions that do not draw salary from Government funds. All recruiting, administrative, and operational expenses are borne entirely from the institutions' own funds. Therefore, the staffs appointed in this selection process are not Government Servants, and their service conditions are not governed by the Act. It is governed by the provisions of Tamil Nadu Cooperative Societies Act and Rules and their services are governed by the special by-laws of the Cooperation Institutions where they are employed. Therefore, Section 21-A have no application in the present recruitment process carried out by the 3rd respondent.

5. That apart, the petitioner, after having been participated in the selection process as per the impugned notification, dated 06.08.2025 and after having been not selected in the same, he cannot challenge the very notification and the selection list published for the post of Assistant and Junior Assistant. Therefore,



W.P.No.44483 of 2025

the said G.O.(Ms.)No.133, dated 01.12.2021 is not applicable to the present case. Hence, this Court is not inclined to interfere with the impugned notification and the subsequent provisional selection list and this Writ Petition is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

17.11.2025

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
sp

To

1.The Principal Secretary to Government of Tamil Nadu,
Department of Cooperation, Food and Consumer Protection,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Registrar of Co-operative Societies,
N.V. Natarajan Maligai,
No.170, Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.

3.The Chairman,
State Recruitment Bureau,
For Apex Cooperative Institutions,
No.170, Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.



WEB COPY



W.P.No.44483 of 2025

G.K.ILANTHIRAIYAN. J,

sp

W.P.No.44483 of 2025

17.11.2025