



W.A(MD) Nos.2485, 2630, 2631, 2632 & 2726 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 14.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) Nos.2485, 2630, 2631, 2632 & 2726 of 2024
and

C.M.P.(MD)Nos.17362, 18305, 18307, 18308 & 18842 of 2024

In W.A.(MD)No.2485 of 2024

C.Jeba Manoj

... Appellant / Writ Petitioner

Vs.

1.The Commissioner of Milk Production
and Diary Development Department,
Mathavaram Milk Colony,
Chennai-600 051.

2.The Chairman,
Representing by the board cum competent authority,
TID 483, Theni District Co-operative
Milk Producers Union Limited,
Natesh Apartments,
Amman Nagar,
Palanichettipatti,
Theni District.

3.The General Manager,
TID 483, Theni District Co-operative Milk



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Producers Union Limited,
Natesh Apartments, Amman Nagar,
Palanichettipatti,
Theni District.

4.The Deputy Registrar (Dairying)
Dairy Development Department,
Aavin Complex,
Sathamangalam,
Madurai-625 020.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying
this Court to set aside the order dated 16.02.2024 passed in W.P.
(MD)No.10155 of 2023.

For Appellant : Mrs.A.Banumathy

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate
for R1 & R4

: Mr.J.Devasenar
for R2 & R3

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.



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2. The appellants herein were appointed as sales executive in the third respondent union on 05.05.2021. Subsequently, their appointments were cancelled vide order dated 30.12.2022. Consequently, they were also relieved on 06.01.2023. Challenging the cancellation order and the relieving order, the appellants filed W.P.(MD)No.10150, 10155, 10161, 10163 & 10173 of 2023. The learned single Judge vide order dated 16.02.2024 dismissed all the writ petitions. Aggrieved by the same, these writ appeals have been filed.

3. The learned single Judge noted that even though the appellants were appointed as sales executives, in the recruitment notification, this post was not even shown. All the appellants herein appear to have applied to the post of Executive (Engineering). Even though they had applied for some other post, they had been fraudulently and illegally appointed as sales executives. The learned single Judge had also noted that when for the post of sales executive, there was no notification, the question of appointing the appellants could not have arisen at all.



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4. The learned counsel for the appellants would contend that these appointments were duly approved by the first respondent on 19.02.2021. That may be so, but the said ratification or approval order by the Commissioner /R1 will not strengthen the case of the appellants herein. This is because, there was no notification for the post of the sales executive. The Commissioner of Milk Production, Chennai / R1 could not have granted approval. In our view, the said approval is inherently illegal. It is also relevant to note that the cancellation orders were not passed arbitrarily. Enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act was conducted and only after the facts were thoroughly ascertained, the impugned orders came to be passed.

5. The approach adopted by the learned single Judge cannot be faulted. The order of the learned single Judge is confirmed. The writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (K.R.S., J.)
14.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

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