



W.P.(MD)No.23717 of 2023

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DATED: 07.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.23717 of 2023

and

W.M.P.(MD)No.19893 of 2023, 13746 of 2024
& 21696 of 2025

M.Hariraj

: Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
O/o. The Joint Registrar of Cooperative Societies,
Tiruchirappalli Region,
Tiruchirappalli.

2.The Deputy Registrar of Cooperative Societies,
O/o. The Deputy Registrar of Cooperative Societies,
Tiruchirappalli Circle, Tiruchirappalli.

3.The Administrator,
R.270, Punganur Primary Agricultural
Cooperative Credit Society,
Punganur, Ramji Nagar Post,
Srirangam Taluk, Tiruchirappalli District.

4.M.Sasikala

: Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent vide ந.க.எண்.88/2021/வேசே நாள்: 16.08.2023 and the consequential impugned order dated 21.09.2023 passed by the third respondent and quash the same and consequently direct the respondents 1 to 3 to permit the petitioner to work continuously in the promotional post of Fertilizer Salesman / Attendar in pursuance of the order of promotion dated 30.09.2022 passed by the third respondent.

For Petitioner : Mr.D.Shanmugaraj Sethupathi
For Respondents 1&2 : Mr.A.Baskaran,
Additional Government Pleader
For Respondent No.3 : Mr.D.S.Nedunchezian
For Respondent No.4 : Mr.V.R.Venkatesan

ORDER

This Writ Petition has been filed challenging the impugned order dated 16.08.2023 passed by the second respondent and the consequential impugned order dated 21.09.2023 passed by the third respondent.



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2.Under the impugned orders, the petitioner's promotion order has been cancelled. The petitioner has challenged the impugned orders on the ground of violation of principles of natural justice. The petitioner has also questioned the jurisdiction of the third respondent to pass the impugned orders, as according to him he is not a competent authority and the competent authority is only the first respondent.

3.A detailed counter affidavit has been filed by the third respondent on behalf of the official respondents denying the contentions of the petitioner. The fourth respondent has also filed a counter denying the contentions of the petitioner. The fourth respondent claims that she has been denied promotion earlier ahead of the petitioner on account of the petitioner being issued with an erroneous promotion order.

4.Neither the petitioner nor the fourth respondent were heard before passing of the impugned order by the third respondent cancelling the petitioner's promotion order. Since the promotion has been cancelled under the impugned orders, the petitioner ought to have been put on notice prior to passing the impugned orders



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canceling the petitioner's promotion. Therefore, this Court is of the considered view that principles of natural justice has been violated. In view of the same, the matter has to be remanded back to the competent authority namely the first respondent for fresh consideration on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the fourth respondent, since any order passed by the competent authority will have an adverse impact on either the petitioner or the fourth respondent.

5.This Court is not expressing any opinion on the merits of the contentions raised by the petitioner as well as the respondents before this Court in this Writ Petition. Only on the ground of violation of principles of natural justice, the impugned orders passed by the second and third respondent are hereby quashed and the matter is remanded back to the competent authority [first respondent] for fresh consideration on merits and in accordance with law. The petitioner as well as the fourth respondent are directed to submit their respective explanations as to why they are entitled for promotion to the post of Attendar / Fertilizer Salesman within a period of fifteen [15] days from the date of receipt of a copy of the order. On receipt of the said explanations within the stipulated time, the first respondent shall pass final orders on merits and in



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accordance with law, after affording one personal hearing to the petitioner as well as the fourth respondent, either by themselves or through advocates within a period of twelve [12] weeks, thereafter.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

1.The Joint Registrar of Cooperative Societies,

O/o. The Joint Registrar of Cooperative Societies,
Tiruchirappalli Region,
Tiruchirappalli.

2.The Deputy Registrar of Cooperative Societies,

O/o. The Deputy Registrar of Cooperative Societies,
Tiruchirappalli Circle, Tiruchirappalli.



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ABDUL QUDDHOSE., J.

MR

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