



W.P(MD)No.34681 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.34681 & 34682 of 2025 and
WMP(MD) Nos.27403,27405,27439 & 27443 of 2025

W.P(MD)No.34681of 2025:-

M.Usha Kumari

... Petitioner

Vs

1.The Joint Registrar of Co-operative Society,
Kanyakumari Region,
The President, Common Cadre Authority,
Nagercoil,
Kanyakumari District.

2.The Deputy Registrar of Co-operative Society,
Thuckalay,
Kanyakumari District.

3.The Administrator,
674 Thiruvattar Primary Agricultural Cooperative
Credit Society,
Thiruvattar, Kanyakumari District.

4.The Administrator,
Y-283 Vendalicode,
Primary Agricultural Cooperative Credit Society,
Vendalicode,
Kanyakumari District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records pertaining to the transfer order passed by the 1st respondent in Na.Ka.No. 3024/2019/PAC(2) dated 17.10.2025 and quash the same and thus render justice

For Petitioner : Mr.Charles Kamalesh M. Appaji,
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

W.P(MD)No.34682 of 2025:-

A.Prema Latha

... Petitioner

Vs

- 1.The Joint Registrar of Co-operative Society,
Kanyakumari Region,
The President, Common Cadre Authority,
Nagercoil,
Kanyakumari District.
- 2.The Deputy Registrar of Co-operative Society,
Thuckalay,
Kanyakumari District.
- 3.The Administrator,
Y-283 Vendalicode Primary Agricultural
Cooperative Credit Society,
Vendalicode,
Kanyakumari District.



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4.The Administrator,
674 Thiruvattar Primary Agricultural Cooperative
Credit Society,
Thiruvattar,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the transfer order passed by the 1st respondent in Na.Ka.No. 3024/2019/PAC(2) dated 17.10.2025 and quash the same and thus render justice

For Petitioner : Mr.Charles Kamalesh M. Appaji,
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

COMMON ORDER

The petitioners, who are working as Assistant Secretary and Secretary in 674 Thiruvattar Primary Agricultural Cooperative Credit Society, Thiruvattar and Y-283 Vendalicode Primary Agricultural Cooperative Credit Society, Vendalicode respectively have filed these writ petitions challenging the order of transfer, dated 17.10.2025.



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2.The learned counsel appearing for the petitioners submits that as per Section 75(4)(a) of the Tamil Nadu Co-operative Societies Act, 1983, common cadre service employee of the Society can be transferred only when the registered Society requests the competent authority to transfer their employees. According to the learned counsel, these petitioners are common cadre employees and no such requests have been made by both the Societies, however, the order of transfer has been passed in violation of Section 75(4) of Tamil Nadu Co-operative Societies Act.

3.The learned Special Government Pleader by referring to Rule 18 of Tamil Nadu Primary Agricultural Co-operative Credit Societies Common Cadre Service Rules, 2019 submits that the Common cadre authority shall order for a transfer of a common cadre employee, either on *suo moto* or at the request of the Primary Agricultural Co-operative Credit Society concerned. Rule 18 is extracted as under:-



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18.Posting 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 Primary 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 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 only.

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

The learned Special Government Pleader further submits that the Joint Registrar, the Common Cadre Authority as defined under the Rule, has passed the transfer order and that too from "A" Class to "A" Class Primary Agricultural Co-operative Credit Society. Moreover, the transferred place is located within 5 kilometres from the existing place. Therefore, there is no need to interfere with the order of transfer.



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4.In reply, the learned counsel appearing for the petitioner submits that the Rule is not properly made in accordance with law and therefore, it cannot be referred.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioners, who are the employees of "A" Class Primary Agricultural Co-operative Credit Society have been transferred to another "A" Class Primary Agricultural Co-operative Credit Society, on the recommendation of the Deputy Registrar, Thuckalay, vide proceedings of the Joint Registrar of Co-operative Society, Kanyakumari Region in Na.Ka.No.3024/2019/PAC(2) & Na.Ka.No.3024/2019/PAC(1), dated 17.10.2025. The petitioners claim that they are common cadre employees and their transfer should be made only on the request of the concerned registered Society. On the side of the respondents, it is contended that as per Rule 18 of Tamil Nadu Primary Agricultural Co-operative Credit



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Societies Common Cadre Service Rules, 2019, the transfer of the Common Cadre Employee may be made by the Common Cadre Authority suo-motu or at the request of the Primary Agricultural Co-operative Credit Societies concerned. It is also reported that they have been transferred from "A" Class Primary Agricultural Co-operative Credit Society have been transferred to another "A" Class Primary Agricultural Co-operative Credit Society as per the Rules.

7.In view of the above, this Court is not inclined to interfere with the impugned transfer orders. In the event if the petitioners are having any grievance with regard to the Rules, it is always open to them to challenge the same, in the manner known to law. No costs. Consequently, connected Miscellaneous petitions are closed.

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NCC: Yes/No
Index:Yes/No
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B.PUGALENDHI, J.

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Common Order made in
W.P(MD)Nos.34681 & 34682 of 2025 and
WMP(MD) Nos.27403,27405,27439 & 27443 of 2025

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