



WEB COPY

WP No. 3798 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No.3798 of 2026

and W.M.P.Nos.4226 & 4227 of 2026

K.Gowri

..Petitioner(s)

Vs

1. The Principal Secretary to Government,
Cooperation, Food and Consumer Protection
Department,
Secretariat, Chennai- 600 009.
2. The Registrar of Cooperative Societies,
No.170, E.V.R Periyar Salai,
Kilpauk, Chennai-600 010.
3. The Chairman, District Recruitment
Bureau(DRB)/
Regional Joint Registrar,
Salem District.

..Respondent(s)

Prayer: This writ petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to Impugned Notification No.1/2025 and Notification No.2/2025 of the 3rd respondent dated 06.08.2025 and quash the selection Process made pursuant thereto, and consequently direct the respondents to re- conduct the recruitment process by strictly adhering to G.O. (Ms) No.133 dated 01.12.2021 and by applying a unit- wise roaster.



For Petitioner(s) : Mr.M.Varun Kumar

For Respondent(s) : Ms.E.Ranganayagi,AGP

WEB COPY

ORDER

This writ petition is filed to call for the records relating to Impugned Notification No.1/2025 and Notification No.2/2025 of the 3rd respondent dated 06.08.2025 and quash the selection Process made pursuant thereto, and consequently direct the respondents to re- conduct the recruitment process by strictly adhering to G.O. (Ms) No.133 dated 01.12.2021 and by applying a unit-wise roster.

2. Learned counsel for the petitioner would submit she has applied for the post of Assistant, pursuant to the notification issued by the third respondent vide Notification No.1/2025 and 2/2025 dated 06.08.2025. Subsequently, she appeared for the written examination on 11.10.2025. Since there was irregularities and malpractices in the recruitment process, the petitioner made a complaint on 11.12.2025, which was rejected by the third respondent on 23.12.2025. Challenging the same, the petitioner preferred an appeal before the second respondent. Pending appeal, the respondents have proceeded further with the recruitment process. Under this circumstances, the respondents have clubbed 132 vacancies pertaining to different and independent Cooperative Societies and adopted a common roster system. Hence, the petitioner has come forward with the present writ petition.



3. Learned Additional Government Pleader appearing for the respondents would submit that the very same notification was challenged before this Court in W.P.No.44483 of 2025 and this Court, by its order dated 17.11.2025, dismissed the writ petition. Challenging the said order, writ appeal was preferred and the same is pending. Hence, he prays for similar order in this writ petition.

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

5. The issue in this writ petition is no longer *res-integra* and the same is covered by the dictum laid down by this Court in W.P.No.44483 of 2025 dated 17.11.2025. For better appreciation, the relevant portion of the order is extracted hereunder:

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 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



WEB COPY



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 third 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, 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.

6. In view of the ratio laid down by this Court in W.P.No.44483 of 2025 dated 17.11.2025, the notification No.1/2025 and No.2/25, dated 06.08.2025 issued by the third respondent does not warrant any interference by this Court and the same is hereby confirmed.



In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

04-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

1. The Principal Secretary to Government,
Cooperation, Food and Consumer Protection Department,
Secretariat, Chennai- 600 009.
2. The Registrar of Cooperative Societies,
No.170, E.V.R Periyar Salai,
Kilpauk, Chennai-600 010.
3. The Chairman, District Recruitment Bureau(DRB)/
Regional Joint Registrar,
Salem District.



WEB COPY

WP No. 3798 of 2



M.DHANDAPANI, J.

VM

WP No. 3798 of 2026

04-02-2026