



WA No. 3994 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WA No. 3994 of 2025 AND
CMP NO. 32422 OF 2025**

The Co-Operative Sub Registrar/ The Administrator,
No. K.770, Kempnayakkan Palayam Primary
Agriculture Co-Operative Credit Society,
Sathyamangalam Taluk, Erode District

..Appellant

Vs

1. Vembu
2. The Joint Registrar
Office Of The Joint Registrar Of Co-Operative
Society, Mohan Kumaramangalam Road
Surampatti, Erode.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 07.11.2025 passed in W.P.No.42723 of 2025.

For Appellant :

Mr.E.P.Senniyangiri

For Respondents :

Mr.L.Chandrakumar

for M. Kruthika - For R1

Mrs.M.Geetha Thamaraiselvan

Special Government Pleader – for R2

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

The respondent / writ petitioner was initially appointed as Sales Woman on 06.10.1989. Thereafter, she was promoted as Junior Assistant, Senior Assistant



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and then promoted as Secretary on 19.08.2024 and has been transferred to Kempnayakkan Palayam Primary Agriculture Co-operative Credit Society, Gobichettipalayam Division, Sathyamangalam Taluk, Erode District. Thereafter, by order dated 16.10.2025 she was transferred to Kavunthapadi Primary Agriculture Co-operative Credit Society, Bhavani Taluk, Erode.

2. The only ground urged before the learned Single Judge was that the Joint Director, Office of the Joint Registrar of Co-operative Society does not have jurisdiction or power to transfer the petitioner, as the common cadre authority alone has the jurisdiction to transfer the common cadre employee. That was accepted by the learned Judge and therefore the writ petition was allowed. As against which the Society has preferred the present writ appeal.

3. Heard the learned counsel appearing for the appellant Society and the learned counsel for the first respondent / employee.

4. Learned counsel for the appellant has produced the copy of the original minutes recorded by the committee constituted in this regard under Rule 18, which passed a resolution on 16.10.2025, whereby, not only the writ petitioner but also two other people viz., K.P.Rajendran and S.Brinda, Secretary and Assistant Secretary respectively had been transferred along with the writ petitioner, who has been



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transferred to Kavunthapadi Primary Agriculture Co-operative Credit Society, Bhavani Taluk, Erode as Secretary.

5. This resolution since has been passed by the committee consisting of all the four members on 16.10.2025, following the same the order of transfer has been passed on 16.10.2025, which has been signed by the Joint Registrar, who is the Chairman of the common cadre authority. Merely because the order of transfer has been signed by the Joint Registrar, it cannot be construed that the transfer order itself has been passed by the Joint Registrar and not by the committee as per Rule 18.

6. The only issue was whether the committee has passed the resolution dated 16.10.2025. In fact, a copy of the original resolution dated 16.10.2025 has been produced by the appellant before this Court, however the same has not been produced before the writ court. Had it been produced before the writ court, the order impugned would not have been passed by the learned Judge since the transfer order has been passed pursuant to the resolution passed by the common cadre authority, which is strictly in consonance with Rule 18. The only ground urged before the writ court based on which the writ petition was allowed since is no more available, we are inclined to interfere with the impugned order.



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7. As a result, the order impugned passed by the writ court dated 07.11.2025 in W.P.No.42723 of 2025 is set aside and the order impugned before the writ court dated 16.10.2025 is sustained. Since relieving order has also been passed in favour of the writ petitioner, she shall be relieved from the present position and join in the transferred place ie., Kavunthapadi Primary Agriculture Cooperative Society, if she has not already joined, within a period of one week from the date of receipt of a copy of this order. With the above direction this writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed. It is made clear that the allowing of this writ appeal will not preclude the respondent / writ petitioner to make a fresh representation for considering her re-transfer or transfer to any other convenient place considering the health conditions and if any such representation is made by her, it is open to the appellant herein to consider the same on merits.

(R.S.K.,J.) (S.S.A.,J.)
11-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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- To
1. The Joint Registrar
Office Of The Joint Registrar Of Co-Operative
Society, Mohan Kumaramangalam Road
Surampatti, Erode.
 2. The Co-Operative Sub Registrar/
The Administrator,
No. K.770, Kempnayakkan Palayam Primary
Agriculture Co-Operative Credit Society,
Sathyamangalam Taluk, Erode District



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AND
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