



WA No. 122 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WA No. 122 of 2026 AND

CMP NO. 1048 OF 2026

R. Rajeswari
W/o. P.S. Sugavanam,
No.122/127, Mariyamman Kovil Street,
Peramanur,
Salem District.

..Appellant

Vs

1. The Joint Registrar/Managing Director
Salem District Central Co-operative Bank
Limited, No.151, Cherry Road,
Salem - 636 001.
2. The Joint Registrar/Managing Director
Namakkal District Central Co-operative Bank
Limited, No.327, Namakkal.
3. The General Manager
Salem District Central Co-operative Bank
Limited, No.151, Cherry Road,
Salem - 636 001.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 07.11.2025 passed in WP No.31167 of 2025 and thus render justice.

For Appellant :

For Respondents :

Mr.V.Govardhanan

Mrs.M.Geetha Thamaraiselvan
Special Government Pleader



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JUDGMENT

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

This intra Court appeal has been directed against the order passed by the Writ Court dated 07.11.2025 made in W.P.No.31167 of 2025.

2. The appellant was the writ petitioner, who was initially appointed as Assistant in the Salem District Central Cooperative Bank at Salem. Thereafter, she had been promoted to the post of Assistant Manager on 20.08.2024. Even after the revenue district of Namakkal was carved out from Salem district and was established long back, the Central Cooperative Bank of Salem has not been bifurcated and only belatedly such a bifurcation exercise had been undertaken, whereby the Government took a decision to bifurcate the Central Cooperative Bank into two banks viz., Salem District Central Cooperative Bank (In short 'Salem Bank') and Namakkal District Central Cooperative Bank (In short 'Namakkal Bank').

3. The assets, liabilities, staff strength etc., are to be bifurcated among the two banks at the ratio of 60:40 ie., 60% employees to be retained in Salem Bank and 40% staff in various categories would be divested to Namakkal Bank. That is how the scheme has been worked out and initially willingness was sought for from employees under various categories to move to Namakkal



bank. Out of the 442 employees, 137 employees had given willingness and they have been sent to Namakkal bank. Therefore, there has been an excess of 39 employees, who are otherwise called surplus in the Salem bank and subsequently 8 more employees also have expressed their willingness to go to Namakkal Bank. Therefore, the surplus employees got reduced to 31. Those 31 employees since have to be deployed to Namakkal bank under various categories, on the basis of the 'Last Come First Go' ie., junior most in each category since has to be divested, in the category of Assistant Manager, two junior most persons viz., the present appellant R.Rajeswari and another person viz., one S.Senthil Selvam had been transferred to Namakkal Bank.

4. These two persons since has been transferred or divested to Namakkal Bank by order dated 06.08.2025 and the rejection order dated 07.08.2025 rejecting the request for cancellation of transfer order had been challenged in two separate writ petitions ie., W.P.Nos.31167 and 40601 of 2025. The first writ petition was filed by the present appellant viz., Rajeswari and the second writ petition was filed by the said S.Senthil Selvam. Both the writ petitions were heard together and disposed of by a common order dated 07.11.2025.



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5. Since the Writ Petition in W.P.No.40601 of 2025 has been allowed and the writ petition in W.P.No.31167 of 2025 has been dismissed, against the dismissal order made in W.P.No.31167 of 2025, the aggrieved person viz., R.Rajeswari has preferred the present appeal.

6. Heard Mr.V.Govardhanan, learned counsel for the appellant who would submit that even assuming that out of the 442 employees, 137 had given consent and only 39 employees considered to be surplus out of whom 8 has given further consent and the remaining employees 31, if at all to be divested to Namakkal Bank in each of the category, if they want to take the junior most as per the vacancy, the present appellant is not the junior most on the basis of the overall seniority to be reckoned in the feeder category ie., Assistant category. When that being the position, by adopting the theory of 'Last Come First Go' cannot be employed against the appellant by transferring / divesting her from Salem to Namakkal and therefore, since that aspect has not been considered in proper perspective by the learned Judge through the impugned order, the impugned order is liable to be interfered with, learned counsel contended.

7. We have gone through the order impugned passed by the writ court. Though two writ petitions have been filed, one by the present appellant and



the other by her co-employee S.Senthil Selvam, the writ petition filed by S.Senthil Selvam was allowed only on the ground that the said employee is physically challenged / disabled person and it is claimed as 85% disability, he cannot move from Salem to Namakkal, therefore, on that ground only the Writ Court has interfered with his transfer order and his writ petition ie., W.P.No.40601 of 2025 was allowed. Therefore, allowing of the said writ petition will have no impact on the dismissal that has been made by the Writ Court in respect of the writ petition filed by the present appellant.

8. Insofar as the present appellant is concerned, though it is claimed by the learned counsel for the appellant that she is not the junior most among the Assistant Manager category, as seniority has to be reckoned only from the feeder category viz., Assistant, where the present appellant is not the junior most and some more juniors are there and if those juniors are working as Assistant Managers, those persons alone must have been taken into account for the purpose of divesting them to Namakkal, was the main plank of the argument of the learned counsel appearing for the appellant.

9. We are not impressed with the said submission made by the learned counsel for the appellant for the simple reason that, once she earned the promotion on 20.08.2024, where, 13 such persons like the appellant since



have been promoted to the post of Assistant Manager, the appellant stood as the 13th person ie., junior most Assistant Manager having been promoted to the said post by virtue of the order dated 20.08.2024. The actual transfer order was made on 06.08.2025 and on that date, Rajeswari ie., the appellant was the junior most in the category of Assistant Manager and the decision since has been taken by the bank management as per the guidelines issued by the Government through the Government Order issued in this regard to divest 40% employees from parent bank ie., Salem Bank to Namakkal Bank, where there were 31 employees who were considered surplus in the parent bank ie., Salem Bank. Therefore, still some individuals had to be transferred in the category of Assistant Manager and since the junior most has to be transferred, the appellant being the junior most in the category of Assistant Manager as the date on which such transfer was made, she has been considered and accordingly such a transfer order since had been issued by order dated 06.08.2025, the said order cannot be found to be infirm and this has been considered in detail by the learned Judge through the impugned order.

10. The learned Judge has given full reasons as to why the order impugned before the Writ Court dated 06.08.2025 has to be sustained and those reasons given by the learned Judge in the impugned order is fully



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agreeable to us and hence the reasoning given and conclusion arrived at by the learned Judge while dismissing the writ petition through the impugned order cannot be found fault with.

11. In that view of the matter, the writ appeal fails and the same is liable to be dismissed. Accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (S.S.A.,J.)
05-02-2026

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

KST

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