



W.A.(MD)No.803 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date: 20.05.2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY
and
THE HON'BLE MS.JUSTICE R.POORNIMA

W.A.(MD)No.803 of 2026
and
C.M.P(MD)No.6626 of 2026

P.Manjula : Appellant/1st Respondent/Petitioner

Vs

- 1.The Registrar of Co-operative Societies,
O/o. The Registrar of Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
E.V.R. High Road, Kilpauk,
Chennai-600 010.
- 2.The Joint Registrar of Co-operative Societies/
Common Cadre Authority,
O/o. The Joint Registrar of Co-operative Societies,
Ramanathapuram,
Ramanathapuram District.
- 3.The Deputy Registrar of Co-operative Societies,
O/o. The Deputy Registrar of Co-operative Societies,
Ramanathapuram,
Ramanathapuram District.

: Respondents 1 to 3/Respondents 1 to 3/Respondents 1 to 3



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4. The Administrator,
Q.1273, Pirappanvalasai Primary Agricultural,
Co-operative Credit Society,
Pirappanvalasai,
Ramanathapuram District.

: 4th Respondent/2nd Respondent/4th Respondent

Prayer:

Writ Appeal filed under Clause 15 of Letters Patent, praying to prefer this Memorandum of Grounds of Writ Appeal against the order of this Court dated 17.02.2026 made in W.M.P.(MD)No.21829 of 2025 in W.P.(MD).No.21090 of 2025.

For Appellant : Mr.S.Balamurugan

For Respondents : Mr.A.Baskaran

Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by D.BHARATHA CHAKRAVARTHY, J.,)

The writ appeal is filed, feeling aggrieved by the order dated 17.02.2026 made in W.M.P(MD)No.21829 of 2025 in W.P.(MD)No. 21090 of 2025.



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2. The appellant herein filed the above writ petition challenging the order of transfer dated 17.07.2025. By the said order, along with yet another person, the appellant was transferred from Pirappanvalasai Co-operative Society to Thiruppullani Co-operative Society. According to the learned counsel for the appellant, the power to transfer a common cadre employee was only with the Registrar of Co-operative Societies. The order is passed without jurisdiction. Secondly, the order is passed without taking into consideration that the appellant has not even completed three years in the present society. Thirdly, it is the contention of the appellant that the present society is at a distance of about 50 kms and the appellant suffered with an accident and is taking treatment in the hospitals at Ramanathapuram. It will be extremely impossible for her to travel back and forth. The respondents did not consider that the appellant is a woman employee and the impugned order of transfer was passed. When the writ petition is filed raising all these grounds, the learned Single Judge, while keeping the writ petition pending, has vacated the interim order. It must be seen that the balance of convenience is in favor of the appellant and the learned Single Judge ought not to have vacated the interim order.



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3. Per contra, the learned Additional Government Pleader taking notice on behalf of the respondents would submit that it is an administrative transfer; there is no stigma that is caused on the appellant. The society is also nearby and it is not a far-off place. The appellant cannot insist on a particular place of posting.

4. We have considered the rival submissions made on either side and perused the material records of the case.

5. It is now settled law that the transfer is an incident of service, and even the rule relating to three years, etc., are only administrative guidelines and cannot be mandatorily enforced on every occasion. In the absence of allegations of *malafides* or stigma, when an administrative order of transfer was passed, it will not be normally interfered with by this Court unless the appellant makes out a case. In this case, the learned Single Judge has considered the fact that the appellant is a common cadre employee and has been transferred from one B-Class society to another B-Class society and that too by a common cadre authority and therefore, we do not find any error in the order passed by the learned Single Judge.



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As a matter of fact, the learned counsel would rely upon G.O.Ms.No.14, dated 12.02.2019, more specifically Clause 3(4), to contend about jurisdiction. It can be seen that for the first three years alone, the Joint Registrar of Co-operative Societies is made as the authority. Therefore, when the Rules were framed in the year 2019, forming a common cadre, the present order of transfer was passed well beyond the initial period of three years, and therefore, once the appropriate authority has jurisdiction and appropriate orders are passed on the administrative grounds, we do not see any reasons to interfere. Further, it must be seen that the order has been passed only by the Joint Registrar of Co-operative Societies, and only the consequential proceedings are issued by the Deputy Registrar of Co-operative Societies. The only thing is that the learned Single Judge, having considered the entire issue, kept the writ petition pending. Once the interim order is vacated, nothing further remains to be decided in the writ petition. Therefore, we are of the view that the writ petition itself can be disposed of while disposing of the writ appeal.

6. The only contention that is made about the medical condition of the appellant. With reference to the medical condition, the appellant has



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to join the transferred place and thereafter, make a representation to the second respondent, namely, the Joint Registrar of Cooperative Societies.

In the said representation, she may very well enclose all her medical records and set out the necessity of being posted in a society nearer to the hospital where she is undergoing treatment. It is for the second respondent to consider the same and pass appropriate orders thereon in accordance with law.

7. In view thereof, this Writ Appeal is disposed of on the following terms:

(i) The order assailed in the writ appeal dated 17.02.2026 in W.M.P(MD)No.21829 of 2025 is upheld;

(ii) The writ petition in W.P.(MD)No.21090 of 2025 is disposed of with the aforesaid observations and following directions;

(a) The impugned order of transfer is upheld;



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(b) However, the appellant will be at liberty to join the transferred place and thereafter, make a representation relating to her medical condition and other difficulties;

(c) Upon such representation being made, the second respondent shall consider the same and pass orders thereon in accordance with law within a period of eight weeks from the date of making the representation.

No costs. Consequently, connected miscellaneous petition is closed.

(D.B.C., J.) (R.P, J.)
20.05.2026

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NCC : No
To

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