

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2016

Coram

The Hon'ble Mr. Justice S.VAIDYANATHAN

W.P.No.44733 of 2016

B.Nirmala

.. Petitioner

Vs.

1.The Registrar of Co-operative Societies,

No.170, Periyar EVR High Road,
Kilpauk, Chennai - 10..

2.Additional Registrar of Cooperative Societies, Chennai Region,

TANFED Buildings, St. Mary's Road,
Chennai - 18.

3.The Deputy Registrar of Co-operative Societies (Credit),

Kuralagam, Chennai - 104.

4.The President,

Chennai Central Cooperative Bank,
No.215, Prakasam Salai, Chennai - 108.

5.The Managing Director,

Chennai Central Co-operative Bank

Ltd., No.215, Prakasam Salai,
Chennai - 108.

.. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the fifth respondent to consider for promotion to the next higher cadre of Assistant Manager in terms of permission accorded by the Registrar of Cooperative Societies in letter Na.Ka.No.38704/2013 Ma.Va.Pa.1 dated 15.11.2016 and place the file to the 4th respondent for his approval or ratification subsequently, as the petitioner is due to retire on superannuation of age on 31.12.2016 in accordance with law, equity and natural justice.

For Petitioner .. Mr.AMI.V.Kataria
For Respondents .. Ms.T.Girija,
Govt. Advocate

ORDER

Seeking a direction to the fifth respondent to consider for promotion to the next higher cadre of Assistant Manager in terms of permission accorded by the Registrar of Cooperative Societies in letter Na.Ka.No.38704/2013 Ma.Va.Pa.1 dated 15.11.2016 and place the file to the 4th respondent for his approval or ratification subsequently, as the petitioner is due to retire on superannuation of age on 31.12.2016 in accordance with law, equity and natural justice, the petitioner has filed the present writ petition.

2.The relief claimed by the petitioner is against the co-operative society. It is well settled that writ petition against the co-operative society is not maintainable in view of the Larger Bench judgment in K.Marappan Vs. The Deputy Registrar of Cooperative Societies, Namakkal Circle, Namakkal and another (2006 (4) CTC 689). Hence, the writ petition fails and the same is dismissed. No costs.

-Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

सत्यमेव जयते

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To

1.The Registrar of Co-operative
Societies,
No.170, Periyar EVR High Road,
Kilpauk, Chennai - 10..

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