

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32407/2015

K.Adhishesan

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Petitioner

Versus

1.The Deputy Registrar of Cooperative Societies
Kancheepuram.

2.The President,
Uthiramerur Primary Agricultural Cooperative
Credit Society Ltd., No.41,
Uthiramerur 603406,
Kancheepuram District. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to consider the petitioner's claim for granting revised scale of pay and payment of salary in the light of settlement u/s.12[3] of I.D.Act, in the promoted post of Clerk with effect from 01.04.2013 and granting of annual increment etc., and arrears of pay and allowances from 01.04.2013 in the light of the representation dated 19.01.2015.

For Petitioner : Mr.R.Baherathan

For Respondents: Mr.L.P.Shanmugasundaram
Spl. Govt. Pleader [Coop.]

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner joined the services of the 2nd respondent Society on 28.02.1991 as a Salesman and by virtue of the fact that he has passed higher secondary course and also passed Diploma in Cooperation, became eligible for appointment to the post of Clerk and the then Administrator of the Society, in pursuant to the orders of the Registrar of Cooperative Societies dated 03.08.2012, has given promotion to the petitioner as Clerk and it is subject to the condition that unless and until the vacant post of Salesman is filled up, the petitioner should continue to serve as Salesman and then join the duty as Clerk. The grievance expressed by the petitioner is that the Settlement u/s.12[3] of the Industrial Disputes Act, 1947, came into being and the said benefit has not

been extended to the petitioner and in this regard, has submitted a representation dated 19.01.2015 to the 1st respondent and since no orders have been passed, he came forward to file this writ petition.

3 Heard the learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop.] who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's representation dated 19.01.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

AP

To

- 1.The Deputy Registrar of Cooperative Societies
Kancheepuram.
- 2.The President,
Uthiramerur Primary Agricultural Cooperative
Credit Society Ltd., No.41,
Uthiramerur 603406, Kancheepuram District.

1 cc to M/s.L.P. Shanmugasundaram, Advocate, Sr. 55859
1 cc to Mr.R..Baherathan, Advocate, Sr. 55555
1 cc to Government Pleader, Sr. 56027

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SKV (CO)
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