

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.No.22423 of 2016

and

W.M.P.No.19118 of 2016

- 1.P.Ganesan
- 2.K.Murugesan
- 3.K.Azhagarsamy
- 4.M.Vijayakumar
- 5.T.Viswanathan
- 6.S.Veermani
- 7.G.Swamyraj
- 8.C.Ganesan
- 9.G.Veermani
- 10.O.Viswanathan
- 11.E.Meiyalagan
- 12.R.Sivalingam
- 13.S.Shanmugasundaram
- 14.P.Thangaraj
- 15.B.Sethuraja
- 16.M.Tamilselvan

.... Petitioners

Vs.

1. The Registrar of Co-operative Societies
No.170 EVR Periyar Salai
Kilpauk
Chennai-600 010.
2. The Joint Registrar of Co-operative Societies
Erode Region
Erode.
3. The Joint Registrar of Co-operative Societies
Dindugal Region
Dindugal.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to forthwith declare the probation of the petitioners as Approved Probationer immediately on completion of two years invoking Section 27(b) of Tamil Nadu State Subordinate Service

Rules applying Deemed Declaration of the same and to consequently extend all retrospective benefits of promotions including service and monetary benefits and to pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr.L.P.Shanmughasundaram
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to forthwith declare the probation of the petitioners as Approved Probationer immediately on completion of two years invoking Section 27(b) of Tamil Nadu State Subordinate Service Rules applying Deemed Declaration of the same and to consequently extend all retrospective benefits of promotions including service and monetary benefits.

3. The petitioners were re-appointed as Junior Inspector of Co-operative Societies with effect from 05.06.2013. The grievance of the petitioners is that their names were not included in the panel, at the appropriate place, for further promotion as Senior Inspector of Co-operative Societies. Their further grievance is that the probation of the petitioners as Approved Probationer, immediately on completion of two years, was not declared by the respondents, by invoking Section 27(b) of Tamil Nadu State Subordinate Service Rules and hence, the Writ Petition has been filed.

4. Mr.L.Chandrakumar, the learned counsel for the petitioners would submit that the petitioners would be satisfied, if the 1st respondent is directed to consider and dispose of the representation of the petitioners, dated 12.04.2016, in accordance with Section 27(b) of Tamil Nadu State Subordinate Service Rules.

5. Mr.L.P.Shanmughasundaram, the learned Special Government Pleader, who takes notice on behalf of the respondents, has got no serious objection in directing the 1st respondent to consider the representation of the petitioners, dated 12.04.2016 and to pass appropriate orders, on merits and in accordance with law.

6. Considering the above submissions, this Court, without going into the merits of the claim made by the petitioners, directs the 1st respondent to consider the representation of the petitioners, dated 12.04.2016, and pass appropriate orders, on merits and in accordance with Section 27 (b) of Tamil Nadu State Subordinate Service Rules, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioners.

7. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

paa

To

1. The Registrar of Co-operative Societies
No.170 EVR Periyar Salai, Kilpauk
Chennai-600 010.
2. The Joint Registrar of Co-operative Societies
Erode Region, Erode.
3. The Joint Registrar of Co-operative Societies
Dindugal Region
Dindugal.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.36742

W.P.No.22423 of 2016

TM(CO)
CA(23/07/2016)