

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31459 of 2016

R.Elangovan

... Petitioner

Vs.

1 The Joint Registrar of Co-operative Societies,
Villupuram Region, Villupuram.

2 The Deputy Registrar of Co-operative Societies,
Tindivanam Circle, Villupuram District.

3 Pennagar Primary Agricultural
Co-operative Credit Society Ltd.,
Rep by its President,
Gingee Taluk, Villupuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass order in my representation dated 25.04.2016 in terms of circular issued by the Registrar of Co-operative Societies.

For Petitioner	: Mr.M.S.Palaniswamy
For Respondents	: Mrs.T.Girija for R1 and R2 Government Advocate Mr.E.M.S.Natarajan for R3 Government Advocate

ORDER

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

2.The present writ petition has been filed seeking a Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 25.04.2016 in terms of circular issued by the Registrar of Co-operative Societies.

3.The petitioner was appointed as Salesman in the fair price shop attached to the third respondent society on 21.12.1987 and he has put in 29 years of unblemished service. As per the circular issued by the Registrar of Co-operative Societies in Na.Ka.119653/97 PACB.1 dated 08.12.1997, the petitioner has the required qualification for the next higher post of Clerk in the third respondent society. The third respondent society has approached the cadre strength of three and except the Secretary, no other cadre employee is working in the third respondent society. The earlier Clerk one Mr.Subramani died on 15.06.2015 and the petitioner is the senior most employee working in the fair price shop eligible for promotion.

4.The petitioner has passed Plus Two Examination and has also undergone Co-operative Training. In this regard, the petitioner made a representation dated 21.06.2015 and the second respondent in his

proceedings in Na.Ka.1961/2015 tho.va.sa. Dated 03.08.2015, has appointed a Field Officer, Vallam to enquire about the petitioner's eligibility and to submit a report and the Field Officer, after enquiry has submitted a report dated 29.02.2016, recommending his name to the said post. Thereafter, no action was taken and no order was passed. Hence, he again made representations to the respondent seeking promotion and the last of such representation is dated 25.04.2016 and since no orders have been passed, the petitioner has come forward with this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the respective learned Government Advocates, who take notice for the respondents.

6.This Court without going into the merits of the claim projected by the petitioner, directs the respondents to consider the representation of the petitioner dated 25.04.2016, on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

R.SUBBIAH,J.

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

09.09.2016

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Index: Yes/ No

Internet: Yes/ No

To

- 1 The Joint Registrar of Co-operative Societies,
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