



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **01.02.2016**

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

W.P (MD) No.1984 of 2016

S.Thangapandi

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Chokkikulam, Madurai-2.

2.The Management,
D.R(L)S 10 Thirupparankundram Primary
Agricultural and Rural Development Bank Ltd.,
Thro its President,
Tirunagar Post, Madurai. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 2nd respondents to implement the order passed in T.N.S.E Appeal No.11/2000 and consider the representation, dated 10.11.2015 and direct the respondents to reinstate into services.

For Petitioner : Mr.S.Karthik
For Respondents : Mr.T.R.Janarthanam,
Additional Government Pleader

ORDER

Mr.T.R.Janarthanam, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the 1st and 2nd respondents to implement the order passed in T.N.S.E Appeal No.11/2000 and consider his representation, dated 10.11.2015 and direct the respondents to reinstate him into services.

4. The petitioner was appointed as Office Assistant with the second respondent bank on 16.12.1996. When the petitioner was working as Supervisor, he was terminated on 22.01.2000 without any notice. The said termination order was challenged under Section 41(2) of the Tamil Nadu Staffs and Establishment Act in T.N.S.E. Appeal No.1 of 2000. The said appeal was allowed on 15.05.2000, setting aside the termination order and directing respondent management to reinstate the petitioner with backwages with continuity of service within 30 days from the date of receipt of



the order. There was no challenge to that order by the second respondent. Subsequently, a claim petition was also filed by the petitioner and the same was allowed by the Labour Court. However, it is the case of the petitioner that he had not been reinstated pursuant to the order, dated 15.05.2000. Hence, he has come forward with the present Writ Petition for the above stated relief.

5. The learned Additional Government Pleader, is not able to say, whether any appeal is filed against the order passed in T.N.S.E. Appeal No.1 of 2000, dated 15.05.2000.

4. In the above circumstances, the following order is passed:

The second respondent is directed to reinstate the petitioner, within a period of six weeks from the date of receipt of a copy of this order, pursuant to the order, dated 15.05.2000 passed in T.N.S.E. Appeal No.1 of 2000. So far as the backwages are concerned, it is open to the petitioner to work out his remedy before the labour Court. In case any appeal is preferred and pending, this order is subject to the result of the said appeal.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

Pm

To

1. The Joint Registrar of Co-operative Societies,
Chokkikulam, Madurai-2.

2. The Management,
D.R(L)S 10 Thirupparankundram Primary
Agricultural and Rural Development Bank Ltd.,
Thro its President, Tirunagar Post, Madurai.

+1 cc to Mr.S.Karthik, Advocate, SR No.5948

+1 cc to Special Government Advocate, SR No.6410

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