



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.21800 of 2016

and

W.M.P (MD) No.15587 of 2016

- 1.K.Bose
- 2.J.Kannan
- 3.U.Raja
- 4.R.Kannan
- 5.R.Vijaya
- 6.K.Subramanian

:Petitioners

Vs.

- 1.The State of Tamil Nadu rep. by
the Chief Secretary,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The State of Tamil Nadu rep. by the Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
- 3.The Registrar (Housing),
Tamil Nadu Co-operative Housing Society,
Tamil Nadu Housing Board Campus,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.
- 4.The Deputy Registrar (Housing),
Housing Society,
Virudhunagar Region,
No.3, DD Road, Mani Nagaram,
Virudhunagar, Virudhunagar District.

:Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to provide the arrears of salary including the alternate job in any other Government Departments in the case of closure of the co-operative societies within the time stipulated by this Court.

For Petitioners : Mr.S.Louis

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to provide the arrears of salary to the petitioners and the alternate job in any other Government Departments in the case of closure of the co-operative societies.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.0. The facts leading to the filing of this writ petition are as follows:

The petitioners 1 and 2 are the employees of N.N.21 Sivagangai Co-operative Building Society and the petitioners 3 to 6 are the employees of N.N.507 Sivagangai Co-operative Housing Society. They have been recruited through the District Employment Exchange. The Cooperative Housing/Building Societies have been formed by the State Government with a noble purpose of providing houses to the homeless citizens of the country. Around 12 lakhs houses have come into existence through the Cooperative Housing/Building Societies. There are 816 Cooperative Societies in the entire State of Tamil Nadu.

3.1. Since the petitioners have not been paid with regular monthly salaries as per the pay scales fixed by the Government of Tamil Nadu at the time of appointment, they have approached the respondents praying to provide the monthly salaries with arrears of salaries and the same is pending till date. Therefore, they also sent representations dated 29.09.2016 and 28.09.2016 and the same are pending consideration without any response.

3.2. The Registrar of Cooperative Societies (Housing), Chennai has issued the proceedings dated 20.06.2014, highlighting the observations made by the Hon'ble Minister that pending salary due to the employees of the Cooperative Housing Societies remains unpaid to the tune of Rs.35.00 crores and a Committee was formed and the Committee also submitted the report suggesting that the arrears of salary should be paid to the employees from the Development Fund available with the Tamil Nadu Cooperative Housing Federation and further the employees could be accommodated in the available vacancies in the Cooperative Banks and in other Government Departments.

3.3. The grievance of the petitioners is that the report of the Committee has not been implemented and the representations dated 28.09.2016 and 29.09.2016 have not been considered so far.

<https://hccases.courts.mys.in/hccases/writ> writ petition has been filed.



4.The learned Additional Government Pleader appearing for the respondents would submit that it is agreeable for the respondents 2 and 3 to consider the representations of the petitioners in a proper perspective and to pass appropriate orders within a period of eight weeks.

5.Recording the submission made by the learned Additional Government Pleader appearing for the respondents, the respondents 2 and 3 are directed to consider the representation of the petitioners dated 28.09.2016 and 29.09.2016 in the light of the Report submitted by the Committee to the second respondent and to pass orders on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Chief Secretary, Government of Tamil Nadu,
Secretariat, Fort St. George, Chennai - 600 009.

2.The Secretary, Housing and Urban Development Department,
Government of Tamil Nadu, Fort St. George, Chennai - 600 009.

3.The Registrar (Housing),
Tamil Nadu Co-operative Housing Society,
Tamil Nadu Housing Board Campus,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

4.The Deputy Registrar (Housing), Housing Society,
Virudhunagar Region, No.3, DD Road, Mani Nagaram,
Virudhunagar, Virudhunagar District.

+1cc to M/s.T.Lajapathi Roy, Advocate in SR.69143

+1cc to the Special Government Pleader, in SR.69306

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