



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.23101 of 2016

Lourthammal : Petitioner

Vs.

1.The Secretary to the Government,
Co-operative Department,
Secretariat, Chennai - 9.

2.The Joint Registrar,
Co-operative Credit Society,
Nagercoil.

3.The Secretary,
Co-operative Credit Society,
Nagercoil.

: 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 dispose the Review Application No. 1947/CM of 2016 against the order passed by the second respondent in his proceedings in Na.Ka.No. 7796/2014 Sa.Pa. Dated 17.12.2015 within the time frame that may be stipulated by this Court.

For Petitioner : Mr.V.Sasikumar
For Respondents : Mr.T.S.Mohammed Mohideen,
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 dispose, the Review Application No.1947/CM of 2016 filed as against the order passed by the second respondent in his proceedings in Na.Ka.No. 7796/2014 Sa.Pa. Dated 17.12.2015 within the time frame that may be stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner 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.The case of the petitioner is that the petitioner was appointed as a Clerk on 02.01.1991 in the third respondent society and his services were regularized and his seniority has been fixed from 01.07.1991.

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3.1. One Jebamani was appointed as a Clerk in the third respondent society and he was promoted as Assistant Secretary on 01.12.2013 as per the Board's Resolution.

3.2. Against the same, the petitioner has filed a revision before the second respondent on 03.08.2015 and the same was dismissed on 17.12.2015, stating that the seniority of the petitioner has not been overlooked and that when the petitioner has not been given promotion to the post of Senior Clerk, there is no scope for consideration for promotion to the post of Assistant Secretary; against which, he preferred a review application before the first respondent in Review No.1947CM/2016 and the same is not yet disposed of. Therefore, this writ petition has been filed.

4.The learned counsel for the petitioner would submit that even though the review application has been filed as early as on 15.01.2016, for the past one year, there is no progress and it has not reached the finality.

5.The learned Additional Government Advocate would submit that it is agreeable for the first respondent to dispose of the review application within a period of three months.

6.Under such circumstances, the first respondent is directed to dispose of the Review Application No.1947/CM of 2016 filed by the petitioner on merits and in accordance with law, within a period of three months, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/TRUE COPY/

Sub Assistant Registrar

smn

To

1.The Secretary to the Government,
Co-operative Department,

<https://hcservices.secureonline.in/> Chennai - 9.



2.The Joint Registrar,
Co-operative Credit Society,
Nagercoil.

3.The Secretary,
Co-operative Credit Society,
Nagercoil.

+1CC to Mr.V.Sasikumar, Advocate Sr.No.74935
+1CC to Spl.Government Pleader Sr.No.78994

GJM/GSV/PM/5.1.17-3p-6c

ORDER MADE IN
W.P (MD) No.23101 of 2016
01.12.2016