

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.615 of 2017

A.Jeevareethan

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Coimbatore Division,
Coimbatore.

2.The President,
K.141, Malaiyandipattinam Primary -
Agricultural Co-operative Credit Society,
Malaiyandipattinam Post,
Pollachi.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to dispose of the revision petition dated 09.09.2016 pending on the file of the 1st respondent within the time frame.

For Petitioner : Mr.S.B.Viswanathan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op)

सत्यमेव जयते

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2.The petitioner was appointed as Salesman in the services of the 2nd respondent during the year 1991. He would further aver that he is suffering due to diabetics and therefore, was advised to undergo frequent treatment. In the letter dated 02.06.2015 submitted to the 2nd respondent prays for grant of leave from 02.06.2015 to 31.08.2015 on medical grounds and it was returned

with a endorsement "refused". The petitioner, in this regard, has also submitted a representation dated 22.06.2015 to the Hon'ble Chief Minister's Cell and infuriated by it, the 2nd respondent, vide proceedings dated 30.06.2015, has intimated that since the petitioner is not attending to duty regularly, additional charge has been given to one Kamatchi. It was also followed by another letter dated 31.07.2015 calling upon the petitioner to join duty immediately within seven days from the date of receipt of the letter. The petitioner, on receipt of the same, has personally met the 2nd respondent and expressed his willingness to join duty. The petitioner, thereafter, repeatedly made representations to join duty as Salesman, but it has not been considered and disposed of. His salary was also not paid for the month of May 2015. The petitioner, in this regard, has also submitted a revision to the 1st respondent praying for the disbursement of his salary from 02.06.2015 and treat the period from 02.06.2015 as duty period for the purpose of attendant benefits and despite receipt and acknowledgment, the 1st respondent has not disposed of the same and hence, came forward to file this Writ Petition.

3.The learned counsel appearing for the petitioner would submit that it would be suffice to direct the 1st respondent to consider and dispose of the revision petition dated 09.09.2016 in accordance with law within a stipulated time.

4. Heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader, who accepts notice for the respondents 1 & 2 also.

5.This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider and dispose of the revision petition dated 09.09.2016, on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 2nd respondent.

6.The Writ Petition is disposed of accordingly. No costs.

sd/

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

va

To

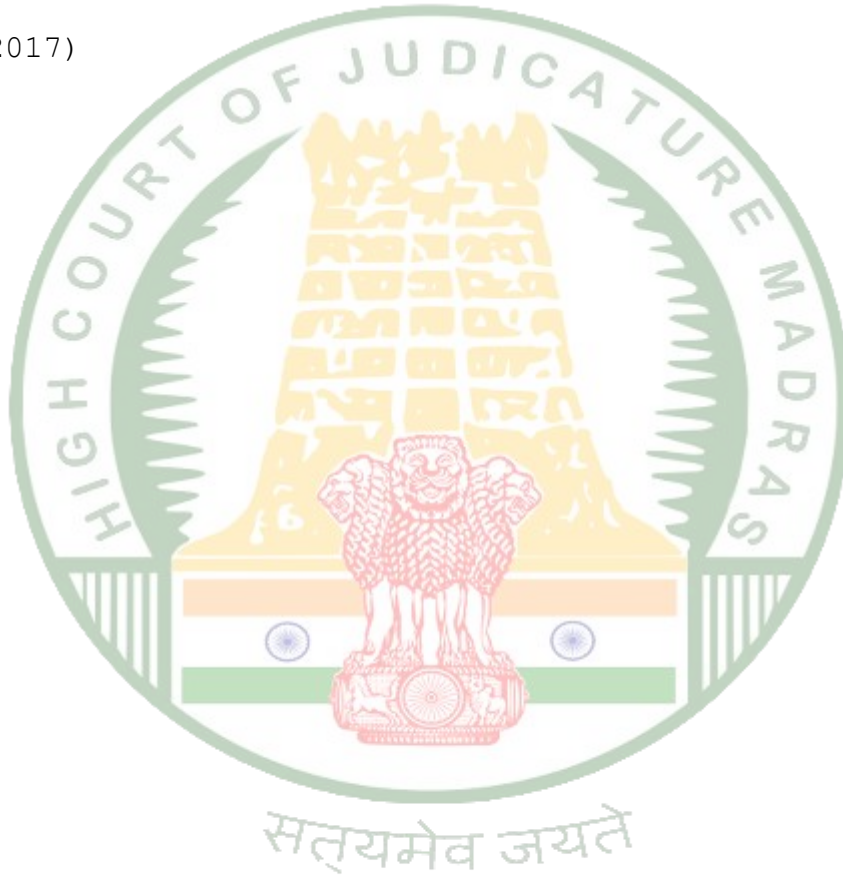
1.The Joint Registrar of Cooperative Societies,
Coimbatore Division, Coimbatore.

+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.2160.

+1cc to The Government Pleader SR.No.2634.

W.P.No.615 of 2017

SS I (CO)
GN (02/02/2017)



WEB COPY