

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.27260 of 2017 and
WMP No.29110 of 2017

G.Ramachandran

Petitioner

Vs.

1. The Joint Registrar of Cooperative Societies,
Krishnagiri Region, Cooperative colony,
Krishnagiri - 635 001, Krishnagiri District
 2. The Deputy Registrar of Cooperative Societies,
Krishnagiri Circle, 4th Cross Street,
Cooperative Colony, Krishnagiri - 635 001
Krishnagiri District
 3. The President,
S 5922, maharajakadai Primary
Agricultural Cooperative Credit Society,
Maharajakadai Village & Post - 635 120
Krishnagiri Taluk & District
- Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 12.12.2016 within a stipulated time by taking note of G.O.Ms.No.289, Food and Cooperation Department, dated 28.09.2007 and G.O.Ms.No.75, Food and Cooperation Department, dated 29.04.2008 along with circular issued by the Registrar of Cooperative Societies in her proceedings Na.Ka.59789/2014 PACB dated 07.01.2016.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugha Sundaram
Special Government Pleader

O R D E R

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

2. The petitioner, who was appointed as Packer in the 3rd respondent Society on 22.09.1987 through employment exchange, as a regular employee, was given consolidated payment at the rate of Rs.150/- per month. Subsequently, on 10.09.1990, the respondents came forward to refix the same at the rate of Rs.200/- per month, again on consolidated basis. After six years, the above stated consolidated payment of Rs.200/- has been enhanced to Rs.800/- per month. Thereafter, on 01.07.1997, the said consolidated payment was also increased to Rs.1,200/- per month, but, all of a sudden, the stated consolidated payment has been reduced from 1,200/- to Rs.1,150/- . Therefore, it is the claim of the petitioner that since the scale of pay of the employees working in the fair price shop were revised as per G.O.Ms.No.289, Food and Cooperation Department, dated 28.09.2007 and G.O.Ms.No.75, Food and Cooperation Department, dated 29.04.2008, the petitioner is also entitled to get the consolidated payment of Rs.2,500/- from 13.01.1988, but, the said Government orders have not been implemented to the petitioner, in this regard, the petitioner has made a representation dated 12.12.2016, but the same has not been considered, hence this Writ Petition.

3. Heard the learned counsel for the petitioner.

4. Learned Special Government Pleader appearing for the respondents sought for four weeks time to consider the pending representation of the petitioner dated 12.12.2016, in the light of G.O.Ms.No.289, Food and Cooperation Department, dated 28.09.2007 and G.O.Ms.No.75, Food and Cooperation Department, dated 29.04.2008 along with circular issued by the Registrar of Cooperative Societies in proceedings Na.Ka.59789/2014 PACB dated 07.01.2016.

5. Recording the submissions of the learned Special Government Pleader appearing for the respondents, the 1st respondent is hereby directed to consider the pending representation of the petitioner in the light of G.O.Ms.No.289, Food and Cooperation Department, dated 28.09.2007 and G.O.Ms.No.75, Food and Cooperation Department, dated 29.04.2008 along with circular issued by the Registrar of Cooperative Societies in proceedings Na.Ka.59789/2014 PACB dated 07.01.2016, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

ssd

To

1. The Joint Registrar of Cooperative Societies,
Krishnagiri Region, Cooperative colony,
Krishnagiri - 635 001, Krishnagiri District
2. The Deputy Registrar of Cooperative Societies,
Krishnagiri Circle, 4th Cross Street,
Cooperative Colony, Krishnagiri - 635 001
Krishnagiri District
3. The President,
S 5922, maharajakadai Primary
Agricultural Cooperative Credit Society,
Maharajakadai Village & Post - 635 120
Krishnagiri Taluk & District

+1 C.C. to Mr.L.P.Shanmugha Sundaram Advocate SR.No. 75843

+1 C.C. to Mr.C.Prakasam Advocate SR.No. 75441

+1 C.C. to The Government Pleader SR.No. 76265

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SAI (CO)
T.R (16/11/2017)

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