

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP.No.18443 of 2017

R.Sasikala

... Petitioner

Versus

1. The Joint Registrar of Co-operative Societies,
Salem Region, Salem-1.
2. SS-62 Salem District Adi Dravidar Schedule Tribe
and Backward Welfare Department,
Government Employees Co-operative Thrift & Credit
Society Ltd.,
No.31-c, Sannadhi Street, Fort,
Salem-636 001, Rep. By its President ... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents particularly the 1st respondent to approve and consent regularization of services of the petitioner as Jewel Appraiser in the office of the 2nd respondent and fix a pay scale and provide all such service benefits based on the petitioner's representation dated 10.01.2015 and consequential recommendatory proceedings dated 14.02.2015.

For Petitioner : Mr.T.S.Rajamohan

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

ORDER

The relief in nutshell sought for by the petitioner in the writ petition is for a direction to the respondents to approve the appointment and regularization of service of the petitioner. In this regard, the writ petitioner submitted a representation to the 1st respondent on 10.01.2015. Though, the writ petitioner is an employee of the Co-operative Society, pursuant to the judgment of a Division Bench of this Court in the case of Justin and others reported in 2002 [4] CTC 389, conditions are stipulated for regularization.

2. The Honourable Division Bench while covering all the issues regarding the appointment of employees in the Cooperative Societies under Rule 149 of the Cooperative Society Rule, imposed certain restrictions and conditions to the Registrar at the time of granting regularization or regulating the irregular appointment.

3. Learned Special Government Pleader [Coop.] appearing for the respondents submit that the writ petitioner was working as a Jewel Appraiser on commission basis. Therefore, his service cannot be regularised.

4. Without going into the merits and demerits of this case, the 1st respondent is directed to consider the representation submitted by the writ petitioner on 10.01.2015 based on judgment of the Division Bench of this Court rendered in the case reported in 2002 4 CTC 389 [cited supra] and pass orders within a period of four weeks from the date of receipt of copy of this order.

5. In the result, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Joint Registrar of Co-operative Societies,
Salem Region, Salem-1.
2. The President,
SS-62 Salem District Adi Dravidar Schedule Tribe
and Backward Welfare Department,
Government Employees Co-operative Thrift & Credit
Society Ltd.,
No.31-c, Sannadhi Street, Fort,
Salem-636 001.

+1cc to Mr.T.S.Rajamohan, Advocate, S.R.No.51078
+1cc to Mr.L.P.Shanmuga Sundaram, Advocate, S.R.No.51603
+1cc to the Government Pleader, S.R.No.52022

W.P.No.18443 of 2017

SM(CO)
CA(02/08/2017)