

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.29850 of 2017

P.Sivakumar

.. Petitioner

-vs-

1. The Joint Registrar of Cooperative Societies
Thiruvannamalai Region
Thiruvannamalai 606 604
Thiruvannamalai District
2. The Deputy Registrar of Cooperative Societies
(Full Additional incharge)
Thiruvannamalai Circle
Thiruvannamalai 606 604
Thiruvannamalai District
3. The President
Thiruvannamalai Revenue Divisional and
Revenue Village Assistants Cooperative
Thrift and Credit Society Ltd., V.T.751
No.15, A.S.Complex, Gandhi Nagar
Thiruvannamalai 606 601 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.2061/2017 Nu.Ku.dated 13.06.2017 and quash the same.

For Petitioner :: Mr.C.Prakasam

For Respondents :: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

This writ petition has been filed challenging the inter-departmental communication dated 13.6.2017 issued by the Deputy Registrar of Cooperative Societies (Full additional incharge) of Thiruvannamalai Circle, the second respondent herein to the President of Thiruvannamalai Revenue Divisional and Revenue Village Assistants Cooperative Thrift and Credit Society Ltd.,

the third respondent herein directing certain actions to be taken with regard to the excess pay paid to the employees working in the third respondent society.

2. Learned counsel for the petitioner submitted that though the pay scales have been revised to all the employees working in the third respondent society on the basis of a settlement reached under Section 12(3) of the Industrial Disputes Act, on 3.2.2016, the second respondent has wrongly addressed the third respondent to cancel the revised pay scale and promotion given to the petitioner also.

3. But this Court is not inclined to entertain the writ petition. The reason is that no doubt the second respondent has issued the inter-departmental communication on 13.6.2017 to the third respondent to take action with regard to the excess pay and promotion given to the employees, for which the third respondent has also submitted a detailed explanation on 21.7.2017 justifying the fixation of pay scale as per the settlement reached under Section 12(3) and the subsequent conferment of promotion. Therefore, the respondents 1 and 2 are directed to consider the representation/explanation made by the third respondent on 21.7.2017 and thereafter take appropriate action. In the event of any decision taken against the employees in respect of the excess pay or promotion, the affected person(s) may be communicated finally. With this observation, the writ petition is disposed of accordingly. Consequently, W.M.P.Nos.32215 & 32216 of 2017 are closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Joint Registrar of Cooperative Societies
Thiruvannamalai Region
Thiruvannamalai 606 604
Thiruvannamalai District

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2. The Deputy Registrar of Cooperative Societies
(Full Additional incharge)
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Thiruvannamalai District

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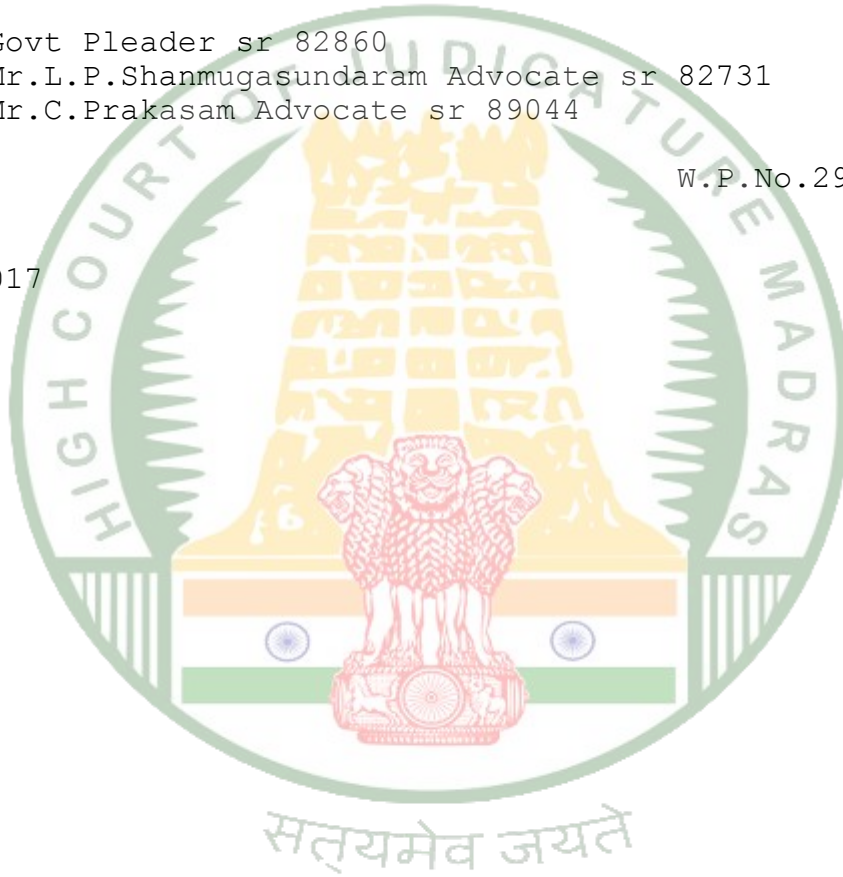
+1 cc to Govt Pleader sr 82860

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr 82731

+1 cc to Mr.C.Prakasam Advocate sr 89044

W.P.No.29850 of 2017

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