

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.01.2017

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.44346 of 2016

R.Palanisamy

...Petitioner

-Vs-

1. The Joint Registrar of Cooperative Societies,
(Housing), Coimbatore Region,
Chinthamani Complex,
North Coimbatore,
Coimbatore - 2.
2. The President,
Avanashi Taluk Co-operative Housing Society Ltd.,
Sevure Road, Avanashi - 641 654.
Tirupur District. ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to pass orders on the representation dated 15.11.2016 acknowledged on 16.11.2016 seeking regularization of the services of the petitioner in the post of Junior Clerk w.e.f. 01.01.1999 and other consequential service benefits thereto on merits and within a time to be stipulated by this Honourable Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner would state that he was appointed as a Clerk in the service of the 2nd respondent on 27.12.1996 and the proceedings of the Deputy Commissioner of Labour dated 08.10.1999 in Na.Ka.No.A2/13869/99, would indicate that the service of the petitioner came to be regularised from 01.01.1999 with all consequential benefits.

3. The grievance expressed by the petitioner is that despite the said order, the 2nd respondent did not choose to comply with the same. In this regard, the petitioner has submitted a representation dated 15.11.2016 to the 1st respondent praying for regularisation of the service in the post of Junior Clerk with effect from 01.01.1999 with all consequential benefits and despite receipt and acknowledgement of the same by the 1st respondent, no order has been passed. Hence, the petitioner came forward to file this writ petition.

4. Heard the submission of the learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents.

5. This Court, taking into consideration, the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, directs the Deputy Registrar of Co-operative Societies, (Housing), Coimbatore Region, Chinthamani Complex, North Coimbatore, Coimbatore, to take note of the proceedings of the Deputy Commissioner of Labour, Coimbatore, dated 08.10.1999 made in Na.Ka.No.A2/13869/99 and dispose of the representation dated 15.11.2016 submitted by the petitioner, 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. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

Note:

Registry is directed to
mark a copy of this order to the
Deputy Registrar of Co-operative Societies,
(Housing), Coimbatore Region,
Chinthamani Complex, North Coimbatore,
Coimbatore,

To

1. The Joint Registrar of Cooperative Societies,
(Housing), Coimbatore Region,
Chinthamani Complex, North Coimbatore,
Coimbatore - 2.
2. The Deputy Registrar of Cooperative Societies,
(Housing), Coimbatore Region,
Chinthamani Complex, North Coimbatore,
Coimbatore - 2.

+1cc to Mr.Chandra Kumar, Advocate, S.R.No.85
+1cc to Mr.Shanmuga Sundaram, Advocate, S.R.No.89
+1cc to the Government Pleader, S.R.No.136

MU(CO)
RS(11/01/2017)

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