



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P (MD) No.15344 of 2017

S.Stanislaus

... Petitioner

-vs-

1. The Registrar of Co-operative Societies,
N.V.Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

2. The Additional Registrar/Managing Director,
Tamil Nadu Cooperative Union,
N.V.Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the second respondent to consider and pass orders on the representation submitted by the petitioner dated 05.12.2011 and 04.07.2012 together with reminder dated 20.06.2017.

For Petitioner : Mr.K.Ragatheesh Kumar

For Respondents 1 and 2 : Mr.D.Muruganantham

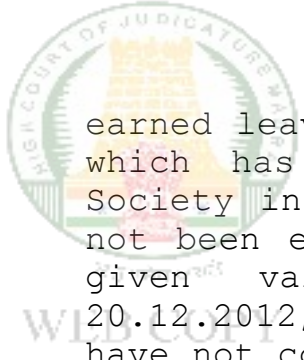
Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The petitioner was appointed as an Assistant Development Officer in the respondent Corporation Union on 10.01.1985 and after promotion to the post of Assistant Director and Deputy Director and was finally promoted to the post of Director of the Tamil Nadu Cooperative Union, Chennai on 20.09.2010. While serving in the said capacity, he was retired from service with effect from 28.02.2011, after putting 26 years, one month and 18 days, without any break.

3.In this background, the claim of the petitioner shows that when there was a settlement made under Section 12(3) of the Industrial Disputes Act, 1947, on 13.05.2012 stating that agreed by both parties that accumulation of earn leave to the employees of Tamil Nadu Cooperative Union is increased to 240 days and employees shall surrender the maximum of 240 days from their



earned leave account for encashment at the time of superannuation, which has been accepted by the Registrar of the Cooperative Society in his proceedings dated 13.04.2015. The said benefit has not been extended till date to the petitioner. Therefore, he has given various representations on 05.12.2011, 04.07.2012, 20.12.2012, 23.06.2014, 23.03.2016 and 18.04.2016. However, they have not come forward to consider the said representations.

4.Mr.D.Muruganantham, learned Additional Government Pleader, takes notice for the respondents and sought sufficient time to consider the petitioner's representations.

5.In view of the above, the second respondent is directed to consider the representations of the petitioner in the light of proceedings dated 13.04.2015 along with settlement reached under Section 12(3) of the Industrial Disputes Act, 1947, on 30.05.2012, within a period of four weeks from the date of receipt of a copy of this order.

6.This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1. The Registrar of Co-operative Societies,
N.V.Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

2. The Additional Registrar/Managing Director,
Tamil Nadu Cooperative Union,
N.V.Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

+ 1 CC TO MR.K.Ragatheesh Kumar , ADVOCATE IN SR No.72542

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72904

Mrn/RR

MK/SV MMS/SAR-1/2P/5C/15.09.2017

W.P(MD)No.15349 of 2017

16.08.2017