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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD).No.5688 of 2017 and
W.M.P. (MD) Nos.4531 & 4532 of 2017

M.Vairamuthu

..Petitioner

Vs.

1. The Commissioner for Milk Production and Dairy Development, Tamil Nadu Co-operative Milk Producers Federation Ltd., Madhavaram, Chennai - 51.
2. The General Manager, Madurai District Co-operative Milk Producer's Union Ltd., Sathamangalam, Madurai - 20.
3. K.M.Uma Maheswari
4. P.Vanitha
5. M.Vanishri

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, calling for the entire records from the second respondent relevant to the appointment of respondents 3, 4 and 5 in Ref.No.105/Pers-I/2013-2, Ref.No.105/Pers-I/2013-3 and Ref.No.105/Pers-I/2013-1, dated 13.02.2014 and quash the same consequently direct the second respondent to consider the representation submitted by the petitioner on 28.09.2015 as per special bye law relating to service conditions amendment framed by the second respondent on 02.07.2015 in the future vacancies of Deputy Manager (DC) post in the respondent union.

For Petitioner : Mr.R.Ramasamy

For Respondents : Mr.M.Murugan,

1&2

Government Advocate.



O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Certiorari Mandamus, calling for the entire records from the second respondent relevant to the appointment of respondents 3, 4 and 5 in Ref.No.105/Pers-I/2013-2, Ref.No.105/Pers-I/2013-3 and Ref.No.105/Pers-I/2013-1, dated 13.02.2014 and quash the same consequently direct the second respondent to consider the representation submitted by the petitioner on 28.09.2015 as per special bye law relating to service conditions amendment framed by the second respondent on 02.07.2015 in the future vacancies of Deputy Manager (DC) post in the respondent union.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

3. Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 and 2. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the respondents 1 and 2 to consider the representation of the petitioner, dated 28.09.2015 within the time stipulated by this Court.

5. Considering the limited scope of the prayer now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondents 1 and 2 are directed to consider the representation of the petitioner, dated 28.09.2015, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar



To

1. The Commissioner for Milk Production and
Dairy Development, Tamil Nadu Co-operative
Milk Producers Federation Ltd.,
Madhavaram, Chennai - 51.

2. The General Manager,
Madurai District Co-operative Milk Producer's Union Ltd.,
Sathamangalam, Madurai - 20.

+1 CC TO MR.R.RAMASAMY,ADVOCATE,SR NO.50060

pmu

MAS/SV-MMS/SAR2:12.04.2017:3P-4C

ORDER MADE IN
W.P. (MD) .No.5688 of 2017
and
W.M.P. (MD) Nos.4531 & 4532 of 2017
04.04.2017