

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.Nos.2022 to 2025 of 2018

S.G.Premkumar .. Petitioner in W.P.No.2022 of 2018
P.Visalakshi .. Petitioner in W.P.No.2023 of 2018
R.Rajan .. Petitioner in W.P.No.2024 of 2018
T.G.Anandan .. Petitioner in W.P.No.2025 of 2018

Vs

THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING)

Nandanam, Chennai-600 035 ... Respondent in all W.P.'s

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondent to pass orders on the representations dated 30.12.2017 and 02.01.2018 seeking consideration of the benefits of pay scale as per proceedings of the Registrar of Cooperative Societies made in RC.No.92088/2008/SF3 dated 21.08.2008, on merits within the time stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar
(in all W.P.'s)
For Respondents : Mr.L.P.Shanmugasundaram
(in all W.P.'s) Special Government Pleader

C O M M O N O R D E R

Mr.S.G.Premkumar and Ms.P.Visalakshi the petitioners in W.P.Nos.2022 of 2018 and 2023 of 2018 respectively, were appointed as Junior Assistant adhering to the roster point in the existing vacant posts and are presently working in K.1597 in Singanallur Cooperative Society Ltd., and Anna Nagar Co-operative Building Society Ltd., respectively and are continuing as such as on date. Similarly, Mr.P.Rajan and Mr.T.G.Anandan, the petitioners in W.P.Nos.2024 and 2025 of 2018, were also appointed as office Assistant on 27.11.2000 and 29.09.1999 respectively in No.K.2014 Sirumugai Co-operative Housing Construction Society Ltd., and No.K.1442 Coimbatore City Government Employee's Cooperative Housing Society and they are continuing as such as on date.

2. Learned counsel for the petitioners submitted that since the Government in consultation with the Registrars have issued proceedings for extension of certain benefits, the Registrar of Cooperative Societies, in his proceedings bearing Rc.No.92088/2008/SF3 dated 21.08.2008 addressing to all the Additional Registrars, issued a direction for extension of time scale of pay to the irregular employees without conferment of any legal status appending a specific clause that the granting or extending of time scale of pay would not entitle them to claim for regularisation and finally directions were issued to enter into a settlement either under Section 12(3) or Section 18 (1) of the Industrial Disputes Act, 1947. Thereafter, the Registrar of Cooperative Societies, in his proceedings bearing Na.Ka.No.57232/2013/Thi.Ka.Ku.Pa dated 15.8.2013, granted the benefit of time scale of pay, medical reimbursement, dearness allowance, encashment of leave, medical leave, earned leave, retirement benefits on par with the regular employees, except for regularisation. In view thereof, the petitioners gave their representations and the same are pending. Under similar circumstances, when W.P.Nos.27475 & 27476 of 2017 were filed by Mr.V.Saravanakumar and Mr.A.Sundararajan seeking a direction to consider their case, as per the proceedings of the Registrar of Cooperative Societies made in Rc.No.92088/2008/SF3 dated 21.08.2008, this Court, by order dated 26.10.2017, considering the limited prayer, directed the Registrar of Cooperative Societies (Housing), Nandanam, Chennai to consider their representation. Therefore, a similar order may be passed, he pleaded.

3. The learned Special Government Pleader, taking notice on behalf of the respondent, submitted that when a similar order has already been passed by this Court, he sought time to consider the pending representations of the petitioners, on merit.

4. Since this Court has already passed a similar order in W.P.Nos.27475 & 27476 of 2017 on 26.10.2017, the respondent is hereby directed to consider the representations of the petitioners on merit and pass appropriate orders in accordance with law, on the basis of the proceedings of the Registrar of Cooperative Society dated 21.8.2008 and 15.8.2013, within a period of four weeks from the date of receipt of a copy of this order. The writ petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

arr

To

THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING)
Nandanam, Chennai-600 035

+1cc to Mr.L.Chandra Kumar, Advocate, S.R.No.7649
+3cc to Mr.L.Chandra Kumar, Advocate, S.R.No.7649 (23/02/2018)
+1cc to the Government Pleader, S.R.No.8465

W.P.No.2022 to 2025 of 2018

RRK (22/02/2018)



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