



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.03.2018

Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.38 of 2013

1.T.Alagappan
2.S.Shanmugam
3.K.S.Chockalingam
4.S.Sudharsan
5.A.Maragadham .. Appellants

Vs.

1.Government of Tamil Nadu
Rep. by its Secretary to Government
Co-operation, Food and Consumer
Protection Department
Fort St.George
Chennai 600 009.

2.The Registrar of Co-operative Societies
No.170, Periyar E.V.R.Salai
Kilpauk
Chennai 600 010. .. Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 07.11.2012 made in W.P.No.15932 of 2012 on the file of this Court.

PRAYER IN WP.15932 OF 2012: Petition Under Article 226 of the Constitution of India for issue of a writ of mandamus direct the respondents to extend the benefit of payment of exgratia pension at the rate of Rs. 2500/- per month to the petitioners as ordered in G.O.Ms. No. 132 Cooperation, Food and Consumer Protection Department dt 20.9.2010 on par with the employees of the Central Cooperative Bank.

For Appellants	:	Mr.T.Sellapandian for Mr.S.Mani
For Respondents	:	Mrs.T.Girija Government Advocate



J U D G M E N T
[Judgment of the Court was delivered by
K.K.SASIDHARAN, J.]

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The appellants filed a writ petition in W.P.No.15932 of 2012 before the writ court to direct the respondents herein to extend the benefit of the ex gratia, pursuant to the order in G.O.Ms.No.132, Co-operative, Food and Consumer Protection Department, dated 20 September, 2010 issued in favour of the employees of the Central Co-operative Bank. The writ petition was dismissed by the learned Single Judge with an observation that the employees of Urban Co-operative Bank would not be covered under the said Government Order. Feeling aggrieved, the appellants are before this Court.

2. The learned counsel for the appellants submitted that the appellants would be satisfied in case liberty is given to submit a representation to the Registrar of Co-operative Societies to issue a similar Government Order for the grant of ex gratia benefits to the employees of the Urban Co-operative Bank.

3. The appellants filed the writ petition in W.P.No.15932 of 2012 on the basis of the Government Order in G.O.Ms.No.132, Co-operative, Food and Consumer Protection Department, dated 20 September, 2010. The appellants are not entitled to the benefits of the said Government Order as it was specifically issued to protect the interest of the employees of the Central Co-operative Bank.

4. The appellants were the employees of Urban Co-operative Bank. The learned Single Judge was therefore, justified in dismissing the writ petition.

5. The present prayer is to permit the appellants to submit a representation to the Registrar of Co-operative Societies to issue a similar Government Order to protect the interest of the employees of the Urban Co-operative Bank.

6. We give liberty to the appellants to submit a comprehensive representation to the Registrar of Co-operative Societies for redressal of their grievance. In case any such representation is given, the same shall be considered and disposed of by the Registrar of Co-operative Societies as expeditiously as possible.



The intra court appeal is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-vii)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Secretary to Government
Government of Tamil Nadu
Co-operation, Food and Consumer
Protection Department
Fort St.George, Chennai 600 009.

2.The Registrar of Co-operative Societies
No.170, Periyar E.V.R.Salai
Kilpauk, Chennai 600 010.

+1cc to Mr.S.MANI Advocate, S.R.No. 18696
+1cc to the Government Pleader, S.R.No. 20083

W.A.No.38 of 2013

RR(CO)
TR(03/04/2018)