

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN,

W.P.No. 18729 of 2018 and
W.M.P.No.22089 of 2018

1. K.Sundaram
2. T.Ayyandurai
3. M. Palanisamy
4. V. Kamaraj
5. K. Senthil Murugan
6. V. Viruthachalam

... Petitioners

/Vs/

1. The Director,
Milk Production and Dairy Development Corporation,
Chennai - 51.
2. The Deputy Registrar (Dairying),
Salem.
3. Salem District Co-operative Milk Producers' Union Limited,
Represented by the Managing Director,
Salem.
4. Salem Milk Consumers Co-operative Sangam Limited,
Represented by its President,
Maravanery, Salem - 636 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to give his approval for amalgamation with 3rd respondent and to regularize with financial benefits/arrears of salary to the petitioners from 2008 onwards on the basis of the resolution of the 3rd respondent dated 11.10.2007.

For Petitioners : Mr.Su. Srinivasan
for M/s. Vanathi Srinivasan

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

O R D E R

The writ petition has been filed by the petitioners seeking for a direction to the first respondent to give his approval for amalgamation of the 3rd and 4th respondents' Society. The petitioners are the employees of the 4th respondent/Milk Consumers Co-operative Society. Earlier, 3rd and 4th respondents passed a resolution for amalgamating the 4th respondent's Society along with 3rd respondent's Society. Based on that resolution, vide its proceedings in Na.Ka.No.161/Pa.Ku.4/2009, dated 06.11.2017, the 3rd respondent also sent a representation to the 1st respondent requesting him to amalgamate both the Societies and also induct the eight employees working in the 4th respondent's Society. Even though the proposal was sent on 06.11.2017, so far, no order has been passed by the first respondent. Hence, the petitioners have filed the present writ petition.

2. Heard both sides and perused the materials available on record.

3. Considering the facts and circumstances of the case, already both the 3rd and 4th respondents passed a separate resolution accepting the amalgamation and based on that, the 3rd respondent also sent a proposal for amalgamation to the first respondent as early as on 06.11.2017.

4. In the above circumstances, without going into the merits of the case, the first respondent is directed to consider the Resolution passed by the 3rd and 4th respondents' Society and consequential proposal sent by the third respondent, dated 06.11.2017 and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

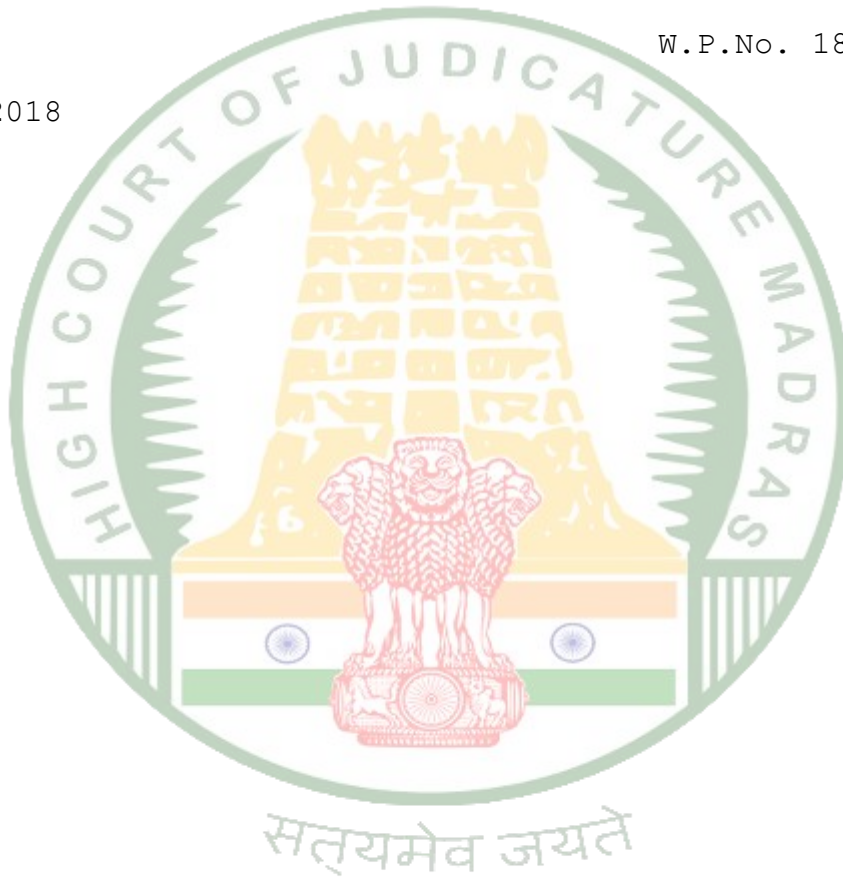
To:

1. The Director,
Milk Production and Dairy Development Corporation,
Chennai - 51.
2. The Deputy Registrar (Dairying),
Salem.

+1cc to M/s. Vanathi Srinivasan, Advocate sr.no.58084
+1cc to Government Pleader sr.no.57669

W.P.No. 18729 of 2018

nr 30/08/2018



WEB COPY