

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.1884 & 1885 of 2018

1. S.Manivannan
2. S.Rameshkumar .. Petitioners in W.P.No.1884 of 2018

1. P.Matheswaran
2. K.N.Ravichandran ... Petitioners in W.P.No.1885 of 2018

-vs-

The Registrar of
Cooperative Societies (Housing)
Nandanam
Chennai 600 035 ... Respondent in both the Writ
Petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to pass orders on the representations dated 30.12.2017, 19.01.2018 and 12.01.2018 respectively of the petitioners, 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 and within a time to be stipulated by this Hon'ble Court.

For Petitioners:: Mr.L.Chandrakumar

For Respondent :: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

Mr.S.Manivannan and Mr.S.Ramesh Kumar, the petitioners in W.P.No.1884 of 2018, were appointed as Clerk and Junior Clerk on 19.7.99 and 18.4.98 respectively adhering to the roster point in the existing vacant posts and both are presently working in K.1776 Sriram Cooperative Housing Construction Society Limited and they are continuing as such as on date. Similarly, Mr.P.Matheswaran and Mr.K.N.Ravichandran, the petitioners in W.P.No.1885 of 2018, were also appointed as Clerk on 15.5.2000 and 7.6.2000 respectively in the SLM/HSG 49, Tiruchengode Taluk Cooperative Housing Society Limited 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(co)

//True Copy//

Sub Assistant Registrar

ss

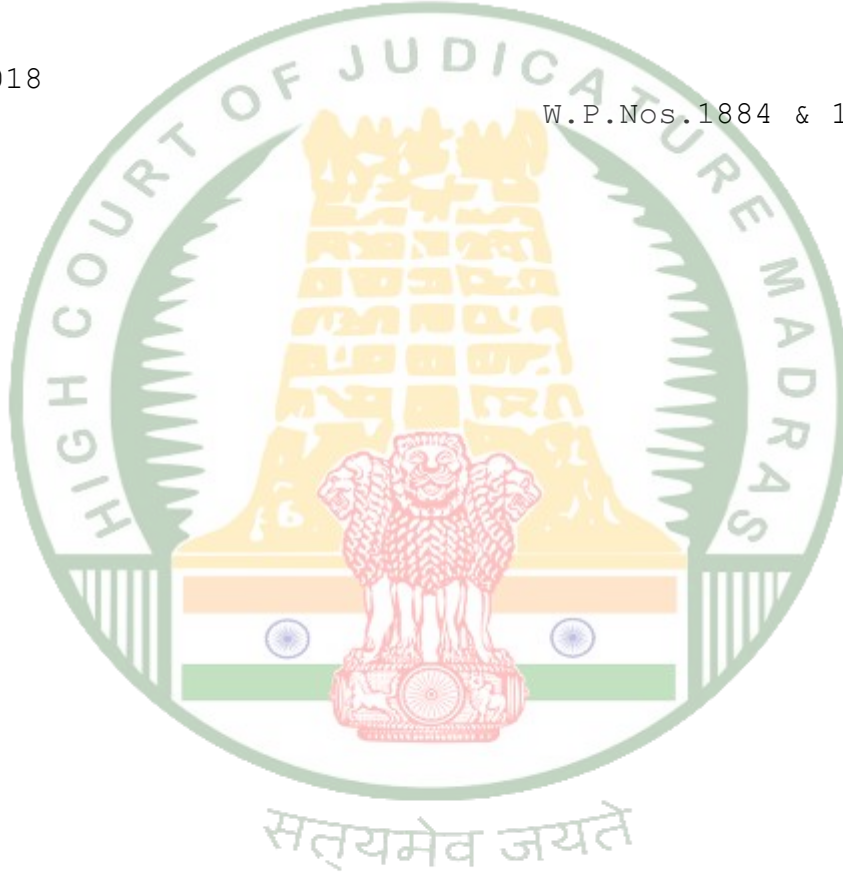
To

1. The Registrar of
Cooperative Societies (Housing)
Nandanam
Chennai 600 035

+2cc to Mr.L.Chandrakumar, Advocate SR.No.7267
+1cc to Government Pleader SR.No.7465, 7471

GJII(CO)
sm:16.2.2018

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