



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.9476 of 2018

V.M.Kalaiselvan

... Petitioner

Vs.

- 1.The State of Tamil Nadu
rep. by its Secretary,
Department of Cooperation, Food and
Consumer Protection,
Fort St. George, Chennai - 600 009.
- 2.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative
Societies,
N.V.Natarajan Maligai,
170, Periyar E.V.R.High Road,
Kilpauk, Chennai - 600 010.
- 3.The Accountant General,
Office of the Accountant General,
261, Anna Salai, Chennai - 600 018.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent, the Registrar of Co-operative Societies herein to consider the representations of the petitioner dated 28.03.2015, 05.05.2016 and 01.03.2018 requesting him to rectify forthwith the pay anomaly and re-fix the petitioner's pay on par with his junior namely Mr.K.Kanagasundaram, w.e.f. 16.07.2007 on merits with all benefits.

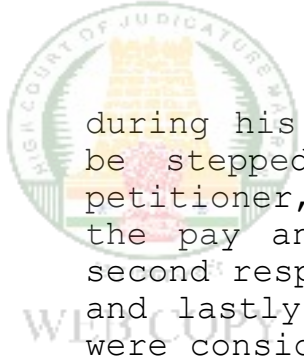
For Petitioner : Mr.P.Muthupandi
For Respondents : Mr.K.Saravanan, G.A.
For RR1 and 2
Mr.P.Gunasekaran for R3

O R D E R

The prayer sought for herein is for a Writ of Mandamus, directing the 2nd respondent, the Registrar of Co-operative Societies herein to consider the representations of the petitioner dated 28.03.2015, 05.05.2016 and 01.03.2018 requesting him to rectify forthwith the pay anomaly and re-fix the petitioner's pay on par with his junior namely Mr.K.Kanagasundaram, w.e.f. 16.07.2007 on merits with all benefits.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned counsel appearing for the petitioner would submit that the petitioner, after having served for several years in the respondent department, retired as Joint Registrar on 30.05.2015 and



during his service, there had been a pay anomaly as his pay had to be stepped up on par with his junior, who, according to the petitioner, received higher salary. Therefore, in order to rectify the pay anomaly, the petitioner has given representations to the second respondent earlier on 28.03.2015 and thereafter on 05.05.2016 and lastly on 01.03.2018. However, none of these representations were considered by the second respondent and nothing was forthcoming from them. Therefore, the petitioner is before this Court.

3.The learned counsel appearing for the petitioner would submit that, if a direction is given to the second respondent to consider the representations of the petitioners on merits and an order to that effect is directed to be passed within a time frame, the petitioner would be satisfied.

4.I have heard Mr.K.Saravanan, learned Government Advocate appearing for the respondents 1 and 2 and Mr.P.Gunasekaran, learned standing counsel for the third respondent. They would submit that the request of the petitioner would be considered by the first respondent on merits and in accordance with law and an order to that effect to be passed, within a time frame.

5.Considering the submissions made by both sides, this writ petition is disposed of with the following direction:

"The second respondent is directed to consider the representation of the petitioner dated 28.03.2015, 05.05.2016 and 01.03.2018 on merits and in accordance with law and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order."

6.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary, State of Tamil Nadu
Department of Cooperation, Food and Consumer Protection,
Fort St. George, Chennai - 600 009.
- 2.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
N.V.Natarajan Maligai,
170, Periyar E.V.R.High Road, Kilpauk, Chennai - 600 010
- 3.The Accountant General,
Office of the Accountant General,
261, Anna Salai, Chennai - 600 018.

+1cc to The Special Government Pleader, SR.No.64109

+1cc to Mr.P.Gunasekaran, Advocate, SR.No.63577

+1cc to Mr.P.Muthupandi, Advocate, SR.No.63552

<https://hcservices.ecourts.gov.in/hcservices/>

Arul

RL/7C/2P/SV/SAR4/3/5/2018

W.P (MD) No.9476 of 2018
26.04.2018