

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.34280 of 2004

1. Vellore District Milk Producers
Co-operative Workers Progressive Union
Reg.No.969/97
(Affiliated with Labour Progressive Federation)
2. J.Venkatesan
3. V.Senguttuvan
4. T.Sivalingam
5. S.Vijayan
6. K.Kalaiazhagan (died)
7. K.Palani
8. B.Sathiyavanan
9. K.Kalpana
- 10.K.Logesh
- 11.K.Snegha

[P9 to P11 are substituted as LRS of the
deceased P6, vide order of this Court,
dated 11.02.2019 in WMP.No.4530 of 2019
in W.P.No.34280 of 2004]

... Petitioners

.Vs.

- 1.The State of Tami Nadu,
Rep. by Secretary to Government,
Animal Husbandry and Fisheries Department,
Fort St. George, Chennai 9.
- 2.The Managing Director / Commissioner,
The Tamilnadu Co. operative Milk
Producer's Federation Ltd.,
Madhavaram Milk Colony Post,
Chennai 51.
- 3.The Special Officer,
The Vellore District Co. operative Milk,
Producers Union Ltd.,
Sathuvachari, Vellore 9.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to regularise the service of the petitioners 2 to 8 with all consequential benefits, with effect from their date of appointments with the 3rd respondent union by implementing the G.O.Ms.No.75, Animal Husbandary and Fishery Department, dated 21.04.1998.

For Petitioners : M/s.S.N.Ravichandran

For Respondents : Mr.T.Girija, G.A., for RR1 & 2
Mr.E.R.Dhasarathan, for RR3

ORDER

This petition has been filed to direct the respondents herein to regularise the service of the petitioners 2 to 8 with all consequential benefits, with effect from their date of appointments.

2. The grounds raised in the present Writ Petition relate to the implementation of the G.O.Ms.No.75, Animal Husbandary and Fishery Department, dated 21.04.1998, which stipulates that the petitioners 2 to 8 are entitled for regularisation from the date of initial appointment.

3. Pending the Writ Petition, the first respondent had passed G.O.(2D) No.137, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 28.09.2007, whereby, they had relied upon G.O.(Ms.).No.86, Co-operation, Food and Consumer Protection Department, dated 12.03.2001 and had regularised the services of the petitioners 2 to 8 from 12.03.2001. As such, the petitioners' grievances are now limited to the date of regularisation, wherein, they claim that they should have been regularised from the date of initial appointment. In my view, the said ground can be agitated by challenging the Government G.O.(2D) No.137, dated 28.09.2007 and such consideration may not be proper in the present Writ Petition. Hence, the Writ Petition stands closed with liberty to the petitioners to challenge the G.O.(2D) No.137, dated 28.09.2007, if they are so advised. No costs.

pvs

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

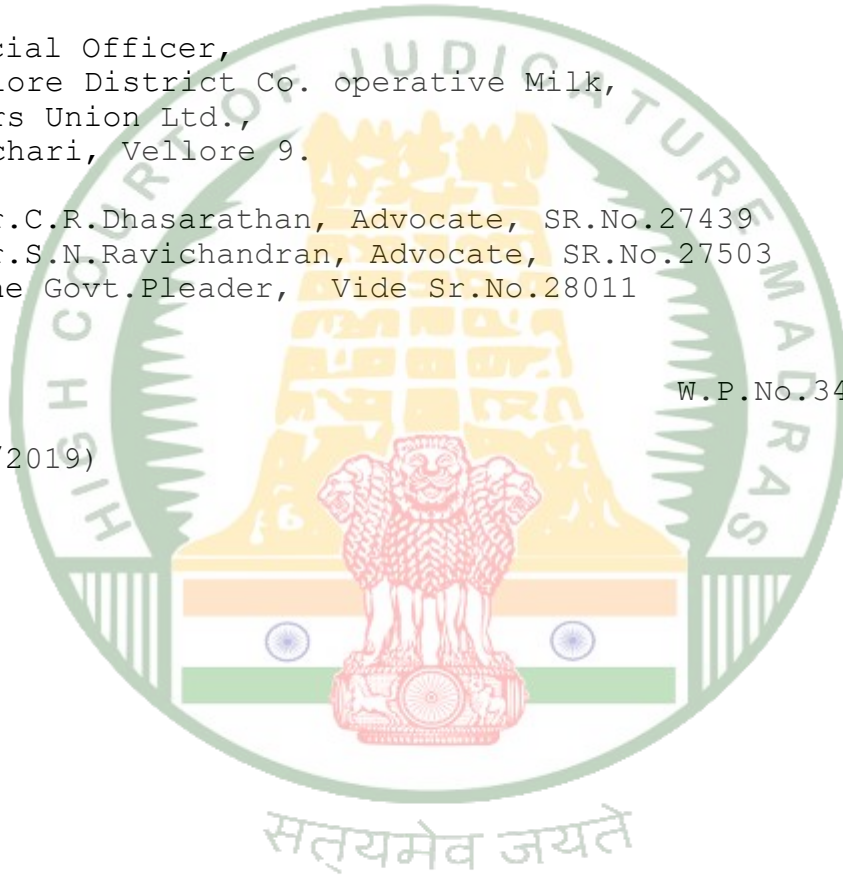
To

- 1.The Secretary to Government,
The State of Tami Nadu,
Animal Husbandry and Fisheries Department,
Fort St. George, Chennai 9.
- 2.The Managing Director / Commissioner,
The Tamilnadu Co. operative Milk
Producer's Federation Ltd.,
Madhavaram Milk Colony Post,
Chennai 51.
- 3.The Special Officer,
The Vellore District Co. operative Milk,
Producers Union Ltd.,
Sathuvachari, Vellore 9.

+lcc to Mr.C.R.Dhasarathan, Advocate, SR.No.27439
+lcc to Mr.S.N.Ravichandran, Advocate, SR.No.27503
+lcc to the Govt.Pleader, Vide Sr.No.28011

W.P.No.34280 of 2004

Kak(10/05/2019)



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