

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31978 of 2019

V.Thambivevekanandan

... Petitioner

Vs

- 1 The Registrar of Cooperative Societies, Chennai 600 010.
 - 2 The Joint Registrar of Co-operative Societies, Villupuram Region, Villupuram.
 - 3 The Deputy Registrar of Co-operative Societies, Tindivanam Circle, Villupuram.
 - 4 The President
F.V.107 Villupuram Educational District Teaching and Non Teaching Employees Coop. Thrift and Credit Society, Government Girls Higher Secondary School Complex, Thiru-Vi-Ka Street, Villupuram 605 602.
-Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate Writ, Direction or Order in the nature of a Writ, Directing the 2nd respondent consider the pass orders on the petitioners representations dated 19/12/2018, 29/01/2019 and 18/02/2019 for payment of arrears of salary and subsistence allowances within a stipulated time frame.

For Petitioner : Mr.R.S.Krishnaswamy

For Respondents : Mr.L.P.Shanmugasundaram,
Spl.G.P. (Co-op)

ORDER

This Writ Petition has been filed seeking for issuance of Writ of Mandamus, to direct the second respondent to consider

the pass orders on the petitioners representations dated 19/12/2018 29/01/2019 and 18/02/2019 for payment of arrears of salary and subsistence allowances within a stipulated time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that he was initially appointed as Clerk on 15.09.1999 in Villupuram District, F.V.107, Villupuram Educational District Teaching & Non Teaching Employees Cooperative Thrift and Credit Society and later deputed to Villupuram District Central Cooperative Society Bank and again later he was returned back to the parent officer on 01.09.2017. He made a representation on 08.08.2017 to the second respondent requesting to make disbursement of his salary for the months of June and July of 2017 and thereafter the petitioner made a representation on 19.12.2018 to the third respondent regarding the irregularities and other activities. Thereafter, on certain lapses, the petitioner was issued a charge Memo on 20.12.2018 by the President and he was also placed under suspension on 28.01.2019. The petitioner has given his explanation on 29.01.2019 to the second respondent. Subsequently, he was completely exonerated from the charges. The grievance of the petitioner is that he was not paid subsequent suspension during the suspension period and also did not disburse the salary for more than a year. Therefore, the petitioner made a detailed representation on 18.02.2019 to the respondents requesting them to disburse the arrears of salary and subsistence suspension allowance. However, since no action was forthcoming, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 18.02.2019 and to pass appropriate orders.

5. Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 18.02.2019 and pass orders in accordance with law and on merits, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1 The Registrar of Cooperative Societies, Chennai 600 010.
- 2 The Joint Registrar of Co-operative Societies, Villupuram Region, Villupuram.
- 3 The Deputy Registrar of Co-operative Societies, Tindivanam Circle, Villupuram.
- 4 The President
F.V.107 Villupuram Educational District
Teaching and Non Teaching Employees Coop.
Thrift and Credit Society, Government Girls
Higher Secondary School Complex,
Thiru-Vi-Ka Street,
Villupuram 605 602.

+1cc to Mr.R.S.Krishnaswamy, Advocate Sr.95273
+1cc to Mr.L.P.Shanmugasundaram, Advocate Sr.95205
+1cc to the Special Government pleader Sr.95082

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srg 26/12/2019