

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32979 of 2019

K.V.Shaji

.. Petitioner

Vs.

1.The Principal Secretary/Industrial Commissioner
And Director of Industries & Commerce,
Department of Industries and Commerce,
Chennai

2.The Managing Director, The Indcoserve,
35, Church Road, Coonoor, The Nilgiris-643101

3.The Managing Director,
Ind.No.1415, The Frontier Industrial Co-operative
Tea Factory Ltd., Erumad, Konnachal - PO
The Nilgiris - 643 239.

4.Y.Yesudas

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to dispose of the Revision Petition dated 10.06.2019 filed by petitioner under Section 153 of the Tamilnadu Co-operative Societies Act read with Rule 169 of the TNCS Rules 1988 along with condone delay petition to condone the delay of 62 days in filing the above revision petition and pending before him within a frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Lavan

For Respondents 1 t 3 : Mr.D.Venkatachalam
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to direct the first respondent to dispose of the Revision Petition dated 10.06.2019 filed by petitioner under Section 153 of the Tamilnadu Co-operative Societies Act read with Rule 169 of the TNCS Rules 1988 along with condone delay petition to condone the delay of 62 days in filing the above revision petition and pending before him within a frame to be fixed by this Hon'ble Court.

2. It is the case of the petitioner that he was appointed as Supervisor in the 3rd respondent factory in the year 1988 and his services were regularized in the year 1990. The petitioner worked as Supervisor in the leaf collection section for 12 years. In the year 2008, the petitioner was asked to perform the duties of Assistant leaf Supervisor (incharge) by the 3rd respondent. Thereafter, the petitioner's salary was enhanced to a sum of Rs.6,000/- per month. In the year 2013, seniority list of permanent workers was promulgated by the 3rd respondent. In the year 2016, the 3rd respondent further enhanced the petitioner's salary to a sum of Rs.9,000/- per month.

3. On 17.11.2018, a proposal for promotion was sent by the 3rd respondent recommending the petitioner's name and the 4th respondent's name to the two vacant post. On 10.01.2019, the 4th respondent was promoted as Assistant leaf Supervisor. Thereafter, on 03.04.2019 the petitioner made representation to the respondents and filed a Revision Petition dated 10.06.2019 before the 1st respondent. However, till date the Revision Petition was not considered. Therefore, the present Writ Petition has been filed.

4. The learned counsel appearing for the petitioner would submit that it would be suffice to issue direction to the 1st respondent to consider and dispose of the Revision Petition filed by the petitioner without referring to the delay for filing the Revision Petition.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the 1st respondent to consider revision petition and consider the delay liberally and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary/Industrial Commissioner
And Director of Industries & Commerce,
Department of Industries and Commerce,
Chennai

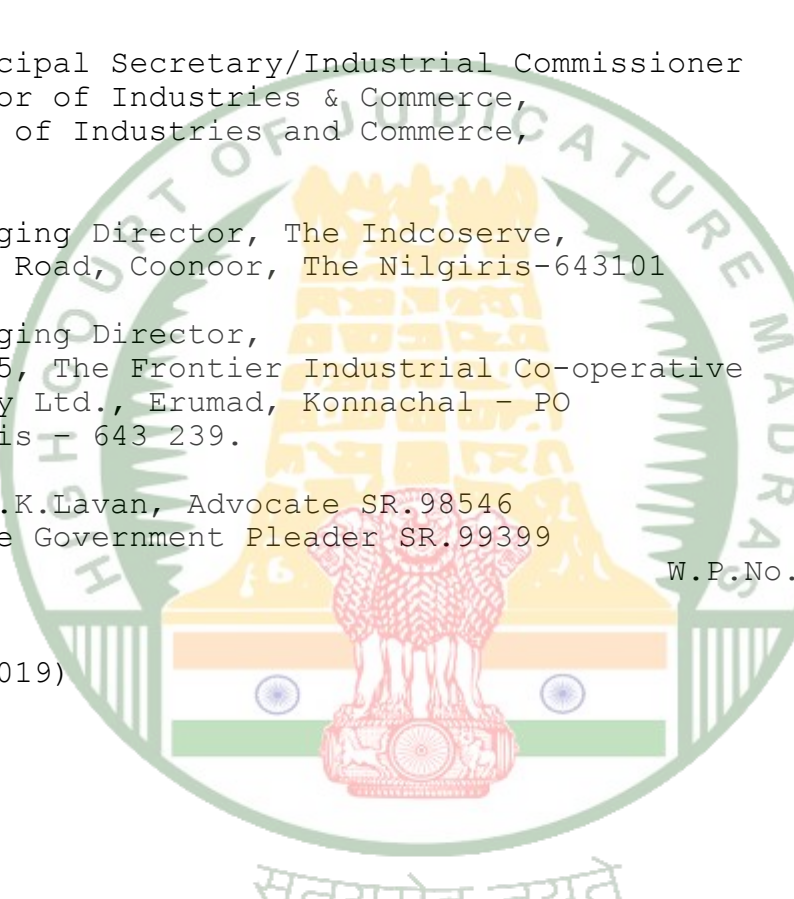
2.The Managing Director, The Indcoserve,
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The Nilgiris - 643 239.

+lcc to Mr.K.Lavan, Advocate SR.98546
+lcc to the Government Pleader SR.99399

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BS(CO)
CB(18/12/2019)



सत्यमेव जयते

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