



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2019

CORAM

WEB COPY

THE HONOURABLE JUSTICE MR.N.ANAND VENKATESH

WP No.35145 of 2019

1.E.Stanley Justin Paulraj

2.S.Palanisamy

3.P.Chandra

4.R.Arockiaraj

5.P.Kumar

... Petitioners

Vs.

1.The Additional Registrar of Cooperative Societies,

"NVN Maaligai"

No.170, E.V.R.Periyar Salai,

Kilpauk, Chennai 600 010.

2.The Additional Registrar/ Managing Director,

Tamil Nadu Cooperative Societies,

"NVN Maaligai"

No.170, E.V.R.Periyar Salai,

Kilpauk, Chennai 600 010.

... Respondents

PRAYER: Writ petition has been filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the first respondent to pass order on the representation dated 02.09.2019 seeking consideration of the benefits of pay scale on merits and within a time to be stipulated by this Court.

For Petitioners: Mr.L.Chandrakumar

For Respondents: Mrs.T.Girija,

Government Advocate for R1

Mr.L.P.Shanmuga Sundaram

Special Government Pleader(co-op)

for R2

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing first respondent to consider the representation dated 02.09.2019 made by the petitioners and to pass orders within a time frame to be fixed by this Court.

2. The case of the petitioners is that they were appointed as Store Keeper, Assistant, Typist, Classroom Attender and Store Attender respectively in Lalgudi Cooperative Polytechnic College under the Tamil Nadu



Cooperative Union on the basis of the Notification calling for selection and appointment during the year 1997 to 2001. It is the further case of the petitioners that the Registrar by proceedings dated 21.08.2008 has decided to grant extension of pay scale to all those employees who were not fitted in the permanent post. As per 12(3) or 18(1) of ID Act, 1947, settlements were also entered into and the benefits were extended. It is the case of the petitioners that the proceedings of the Registrar of Cooperative Societies dated 15.08.2013, makes it clear that the petitioners are entitled for various relief stated therein on par with regular employees.

3. The petitioners made a representation dated 02.09.2019, seeking for the said relief. It is the further case of the petitioners that this Court had already passed an order directing the respondents to extend the benefits and the petitioners are also entitled for the same relief. Since no action has been taken on the representation made by the petitioners, the present Writ Petition has been filed before this Court, seeking for appropriate direction.

4. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioners, Mrs.T.Girija, learned Government Advocate appearing for the first respondent and Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader(co-op) appearing for the second respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the ***Second** respondent to consider the representation dated 07.08.2019, made by the petitioners on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioners are directed to give a fresh representation along with a copy of the representation dated 02.09.2019 and a copy of this order.

6. The Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

***Corrected order already
despatched on 30/12/2019
issue fresh order copy as per
order of this court dated 26/02/2020
made in WMP.No.4247/2020**

//True Copy//



To

1.The Additional Registrar of Cooperative Societies,
"NVN Maaligai"
No.170, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010.

2.The Additional Registrar/ **(To be Substituted order**
Managing Director, **already despatched on 30/12/2019)**
Tamil Nadu Cooperative Societies,
"NVN Maaligai"
No.170, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010.

+1cc to M/s.L.P.Shanmugasundaram, Advocate Sr.105395
+2cc to Mr.L.Chandrakumar, Advocate Sr.105489
+1cc to the Special Government Pleader Sr.105837

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