

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2019

CORAM

THE HONOURABLE JUSTICE MR.N.ANAND VENKATESH

WP No.35075 of 2019

A.Balan

... Petitioner

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 07.08.2019 seeking consideration of the benefits of pay scale on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents: Mrs.T.Girija,
Government Advocate for R1
Mr.L.P.Shanmuga Sundaram
Special Government Pleader(co-op)
for R2

W R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing first respondent to consider the representation dated 07.08.2019 made by the petitioner and to pass orders within a time frame to be fixed by this Court.

2. The case of the petitioner is that he was appointed as Lecturer 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 2000. It is the further case of the petitioner 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 petitioner that the proceedings of the Registrar of Cooperative Societies dated 15.08.2013, makes it clear that the petitioner is entitled for various relief stated therein on par with regular employees.

3. The petitioner made a representation dated 07.08.2019, seeking for the said relief. It is the further case of the petitioner that this Court had already passed an order directing the respondents to extend the benefits and the petitioner is also entitled for the same relief. Since no action has been taken on the representation made by the petitioner, the present Writ Petition has been filed before this Court, seeking for appropriate direction.

4. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner, 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 petitioner 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 petitioner is directed to give a fresh representation along with a copy of the representation dated 07.08.2019 and a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

Dated:20/12/2019

***Issue fresh order Copy as per order of this Court dated 26/2/2020 in WMP No.4242/2020 in W.P.No.35075/2019 dated 18/12/2019 shall remain unaltered**

//True Copy//

Sub Assistant Registrar

To

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

To be substituted the
order already
despatched
on 30/12/2019

2.The Additional Registrar/ Managing Director,
Tamil Nadu Cooperative Societies,
"NVN Maaligai"
No.170, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010.

+1cc to Mr.L.P.Shanmugasundaram, Advocate Sr.105394

+1cc to Mr.L.Chandrakumar, Advocate ***Sr.17036**

+1cc to the Special Government Pleader ***Sr.17166, 17165**

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srg 20/12/2019

srg 09/03/2020



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