



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.4545 of 2019

P.Sankaran

... Petitioner

Vs.

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 9.
2. The State of Tamil Nadu,
Rep. by its Commissioner Agriculture Production
and Secretary, Agriculture Department,
Fort St. George, Chennai - 9.
3. The Registrar of Agro Engineering Services,
Chepauk, Chennai - 09.
4. The Tuticorin District Agro Engineering Service
Co-operative Society Limited,
No.AES.17,
Rep. through the Liquidator,
Tuticorin.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to disburse the petitioner's salary due and other monetary benefits along with interest and compensation or in the alternative provide to the petitioner employment in any other Society considering the petitioner's past services rendered in the fourth respondent Society.

For Petitioner : Mr.H.Arumugam
For Respondents : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the petitioner's salary due and other monetary benefits along with interest and compensation or in the alternative, provide employment to the petitioner in any other Society, considering the petitioner's past services rendered in the fourth respondent Society.

2. Heard the learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.



3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that earlier he approached this Court in W.P(MD)No.11894 of 2009 for the similar relief, in which, by order, dated 07.02.2013, this Court directed the respondents to consider the representation of the petitioner, dated 21.11.2006 and disposed of the Writ Petition. Despite the same, since no order has been passed, the petitioner has filed the present Writ Petition.

5. In view of the fact that the petitioner has already filed a Writ Petition in W.P(MD)No.11894 of 2009 for the similar relief, this Writ Petition cannot be maintained. Further, the petitioner has to file a contempt petition for non-compliance. However, considering the facts and circumstances of the case and also the long pendency, this Court is inclined to direct the respondents to consider the representation of the petitioner, dated 24.01.2019 and pass appropriate orders on merits and in accordance with law, without causing any further delay, within a period of eight weeks from the date of receipt of a copy of this order.

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

sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 9.
2. The Commissioner Agriculture Production
and Secretary, Agriculture Department,
Fort St. George, Chennai - 9.
3. The Registrar of Agro Engineering Services,
Chepauk, Chennai - 09.
4. The Tuticorin District Agro Engineering Service
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+1 CC to SPL GP (SR-50531[F] dated 28/02/2019)

+1 CC to MR.H.ARUMUGAM, Advocate (SR-50627[F] dated 28/02/2019)

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