

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.03.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.22698 of 2017**

Balasubramanian

... Petitioner

Vs.

1.The Deputy Registrar of Co-operatives,
Pudukkottai.2.The President,
No.7, Keeranur Primary Agricultural Co-operative
Credit Society Limited,
Keeranur,
Pudukkottai District.

... 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 regularize the service of the petitioner from 14.12.2010 and provide yearly incentive, promotion and attendant benefits by considering the petitioner's representation, dated 26.08.2017.

For Petitioner : Mr.P.Ganapathi Subramanian

For R - 1 : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

For R - 2 : Mr.D.Muruganandham

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to regularize the service of the petitioner from 14.12.2010 and provide yearly incentive, promotion and attendant benefits by considering his representation, dated 26.08.2017.

2.Heard the learned counsel appearing for the petitioner; the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The grievance of the petitioner is that while he was serving as salesman in the Co-operative Society, he was placed under



suspension. To revoke the order of suspension, earlier, the petitioner filed a Writ Petition in W.P(MD)No.3635 of 2016 and this Court, by order, dated 11.01.2017, closed the writ petition pursuant to the resolution passed by the third respondent therein stating that a decision has been taken to reinstate the petitioner. Subsequent to the same, the petitioner joined in service. Since his suspension period was not regularized and yearly incentive and other benefits were not granted, the petitioner has sent a representation to the respondents on 26.08.2017. However, the same has not been considered so far. Hence, the petitioner has filed the present Writ Petition.

4.The learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent submitted that the petitioner's representation will be considered on merits and appropriate orders will be passed.

5.In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner, dated 26.08.2017 seeking to regularize the service of the petitioner and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed 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-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Deputy Registrar of Co-operatives,
Pudukkottai.
- 2.The President,
No.7, Keeranur Primary Agricultural Co-operative
Credit Society Limited,
Keeranur, Pudukkottai District.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate in SR-56515
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.56329

W.P(MD)No.22698 of 2017
22.03.2019