



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.19516 of 2019

P.Manimegalai

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Karur Region,
Room No.55, Collectorate Complex,
Karur.

2.The Deputy Registrar of Co-operative Societies,
Karur Circle,
Karur District,
Karur.

3.R-316, Thirukaduthurai Primary Agriculture
Co-operative-Credit Society Limited,
Rep. by its President,
Karaipalayam,
Manmangalam Taluk,
Karur District.

4.R-1562 Thanthoni Primary Agriculture Co-operative
Credit Society,
Rep. by its President,
Arugampalayam,
Thanthoni Post,
Karur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 23.07.2019 and 20.08.2019 and pass orders in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.V.Anand,
Government Advocate

ORDER

This writ petition is filed seeking for a mandamus, directing the first respondent to consider the petitioner's representation, dated 23.07.2019 and 20.08.2019.



2.Mr.V.Anand, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was appointed as Clerk on 14.02.1989. He was promoted as Secretary on 10.01.2010. In the year 2011, one K.B.Ranganathan was a defaulter to the society. Hence, being a Chief Executive Officer, the petitioner went to his house so as to collect the overdue loans. Subsequently, in the year 2013 the said K.B.Ranganathan became President of the third respondent society. In order to wreck vengeance the petitioner was suspended on 30.05.2014 and issued with charge memo, dated 14.06.2014. Subsequently, he was dismissed from service on 24.01.2015. The first respondent, vide order dated 23.07.2015, modified the punishment of dismissal into that of stoppage of increment for one year without cumulative effect. Aggrieved by the order of punishment, the third respondent filed a writ petition in W.P.(MD)No.1005 of 2016. This Court by order, dated 19.01.2016, granted interim stay on condition that the third respondent shall pay the last drawn wages to the petitioner on every month from the date of writ petition till the disposal of the writ petition. Against the said interim order, the third respondent filed a writ appeal in W.A.(MD)No.206 of 2016 and the same was also dismissed as withdrawn on 29.01.2016. Further, as per 12(3) Settlement, salary was increased with effect from 01.04.2013 and as per 18(1) Settlement, salary was increased with effect from 01.04.2018. But, the same has not been implemented to the petitioner by the third respondent society due to wreck vengeance. However, the petitioner made representation on 19.06.2019 to the respondents seeking enhancement of salary, but, the respondents have not passed any orders on the representation. Hence, the petitioner has come out with the present writ petition.

4. Considering the limited relief sought for by the petitioner in the writ petition, without going into the merits of the case, the writ petition is disposed of directing the first respondent to consider the representations of the petitioner, dated 23.07.2019 and 20.08.2019 and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)



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+1 CC to M/s.GP (SR-86571[F] dated 13/09/2019)

+1 CC to M/s.D.SADIQ RAJA, Advocate (SR-86630[F] dated 13/09/2019)

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