



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) Nos.20529 & 20530 of 2019

WEB COPY

1.P.Kundan ... Petitioner in W.P.No.20529 of 2019

2.I.Muthuramalingam ... Petitioner in W.P.No.20530 of 2019
-Vs-

1. The Joint Registrar of Co-operative Societies
Madurai Region
Office at Kanaga Apartment
LDC Road, Near J.C.Residency
Chinna Chokkikulam, Madurai

2. The Deputy Registrar of Co-operative Societies
Madurai Circle
Office at No.41 and 42
Krishnarayar Theppakulam Street
Madurai - 1

3. The Co-operative Sub Registrar /Liquidator
The Madurai District Co-operative
Spinning Mills Employees Thrift and Credit Society
(Liquidation)
Office at No.41 and 42
Kirshnarayar Theppakulam Street
Madurai -1

... Respondents in both petitions

COMMON PRAYER: These Writ Petitions have been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to disburse the leave salary and salary for the period from the year 2002 to 2007 and other monetary benefits such as leave salary and gratuity for the said period etc., by considering the representation of the petitioners dated 29.10.2018.

For Petitioners: Mr.J.Anandkumar
(In both petitions)

For R1 & R2 : Mr.V.R.Shanmuganathan
Special Government Pleader
(In both petitions)

COMMON ORDER

These Writ Petitions have been filed for a direction to the third respondent to disburse the leave salary and salary from the years 2002 to 2007 and other monetary benefits, such as leave salary and gratuity for the said period etc., by considering the representation of the petitioners, dated 29.10.2018



2.Heard Mr.J.Anandkumar, learned counsel appearing for the petitioners and Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1 and 2.

3.The learned Special Government Pleader appearing for the respondents 1 and 2, submitted that the service records with reference to the service of the petitioners are not available in the Society. The petitioners themselves admitted that they were not given employment in the third respondent Society after 2002. The petitioner in W.P.(MD).No.20529 of 2019 himself admitted that during February 2002 to April 2007, he was employed as a Clerk in Madurai Taluk Co-operative Society on daily wage basis. Therefore, the petitioners are not entitled for any salary from the third respondent Society.

4. In view of the above submissions, without deciding the issue on merits, the third respondent is directed to consider the representation of the petitioners, dated 29.10.2018 and pass orders on merits and in accordance with law, after hearing the petitioners, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar(CS)

To

1.The Joint Registrar of Co-operative Societies
Madurai Region, Office at Kanaga Apartment
LDC Road, Near J.C.Residency
Chinna Chokkikulam, Madurai

2.The Deputy Registrar of Co-operative Societies
Madurai Circle, Office at No.41 and 42
Krishnarayar Theppakulam Street
Madurai - 1

3.The Co-operative Sub Registrar /Liquidator
The Madurai District Co-operative
Spinning Mills Employees Thrift and Credit Society
(Liquidation) Office at No.41 and 42
Kirshnarayar Theppakulam Street Madurai-1

+2 CC to M/s.J.ANANDKUMAR, Advocate (SR-94980[F] dated 30/10/2019)
+1 CC to M/s.SPL GP (SR-95111[F] dated 31/10/2019)
msa /sma/29/11/19/ 2p 7c

W.P. (MD) Nos.20529 & 20530 of 2019
30.10.2019