



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD)No.16278 of 2016

WEB COPY

R.Saravanan

: Petitioner

Vs.

1.The Secretary to Government,
Department of Cooperative,
Secretariate,
Chennai - 600 009.

2.The Registrar of Cooperative Societies,
E.Ve.Ra.Salai, Kilpauk,
Chennai - 600 010.

3.The Additional Registrar of Cooperative Societies,
E.Ve.Ra. Kilpauk,
Chennai - 600 010.

4.The Joint Registrar of Cooperative Societies,
District Collectorate Campus,
Kachirangal, Sivagangai.

5.The Deputy Registrar of Cooperative Societies,
District Collectorate Campus,
Kachirangal, Sivagangai.

6.The President,
N.N.294, Machavarayanenthall Primary
Agricultural Cooperative Bank,
Mazhavarayanenthall,
Thirupachethi Post,
Manamadurai Taluk,
Sivagangai District.

: Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to consider and pass orders on the representation of the petitioner dated 04.07.2016 within period stipulated by this Court.

For Petitioner

: Mr.M.Amjad Khan

For Mr.B.Senthilkumar

For Respondents 1 to 5

: Mr.J.Gunaseelan Muthaiah,

Additional Government Pleader



O R D E R

The writ petition has been filed seeking for a direction upon the respondents to consider the representation of the petitioner dated 04.07.2016.

2.The petitioner was working as a Secretary of the sixth respondent/Cooperative Bank and he was removed from service on account of certain allegation of misappropriation. He raised a dispute under Section 2(A) of Industrial Disputes Act, 1947, in which, the settlement under Section 12(3) of the Act was reached. According to which, the respondents have agreed to reinstate the petitioner with effect from 27.02.2013, on condition that he will not claim any backwages and the period will be treated as 'break of service' and the petitioner shall set right the revenue loss caused to the Societies.

3.Accordingly, the petitioner has remitted a sum of Rs.96,045/- (Rupees Ninety Six Thousand and Forty Five only) to the sixth respondent and he also given surety from two persons, as directed by the sixth respondent. Even after the compliance with the above terms of agreement, the respondents have not passed any orders. The petitioner has given a representation dated 04.07.2016, to the respondents. However, till date, no action has been taken. Hence, the petitioner is before this Court.

4.Considering the agreement under Section 12(3) of Industrial Disputes Act, 1947, a direction is given to the respondents to immediately consider the reinstatement of the petitioner, as agreed by them and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

mrn

To

1.The Secretary to Government,
Department of Cooperative,
Secretariate,
Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Registrar of Cooperative Societies,
E.Ve.Ra.Salai, Kilpauk,
Chennai - 600 010.

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4.The Joint Registrar of Cooperative Societies,
District Collectorate Campus,
Kachirangal, Sivagangai.

5.The Deputy Registrar of Cooperative Societies,
District Collectorate Campus,
Kachirangal, Sivagangai.

+1 CC to Spl.GP (SR-100538[F] dated 22/11/2019)

+1 CC to Mr.B.SENTHIL KUMAR, Advocate (SR-100637[F] dated
22/11/2019)

ORDER MADE IN

W.P. (MD) No.16278 of 2016

21.11.2019

MK (18.12.2019) 3P 8C