

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.34 OF 2020

C.Tamilvelmurugan

... Petitioner

Vs.

1. The State of Tamilnadu  
Rep. By the Secretary,  
Cooperation, Food & Consumer Protection,  
Fort St. George, Chennai 9.
2. The Registrar of Cooperative Societies,  
"NVN" Maaligai, No.170, E.V.R.Periyar Salai,  
Kilpauk, Chennai 600 010. ... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pass orders on the appeal memorandum dated 11.07.2018 seeking rectification of regularization and other consequential service benefits, including promotion and financial dues thereto on merits and as per law and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar  
For Respondents : Mr.L.P.Shanmugasundaram  
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to pass orders on the Appeal filed by the petitioner on 11.07.2018 seeking for regularisation and for other consequential reliefs.

2. The case of the petitioner is that he was initially appointed in the year 1985, as a Junior Inspector, under 10(a) (i) of the Tamil Nadu Subordinate Service Rules. The service of the petitioner was regularised only from the year 1989. Aggrieved by the same, the petitioner had made a representation to the second respondent and the second respondent by his

proceedings dated 13.04.2018 has rejected the claim made by the petitioner and has categorically held that there is no requirement for rectifying the seniority list. Aggrieved by the same, the petitioner has filed an Appeal before the first respondent on 11.07.2018. Since no order has been passed, the present Writ Petition has been filed before this Court.

3. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner and Mr. L.P.Shanmugasundaram, learned Special Government Pleader appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, this Writ Petition is disposed of with a direction to the first respondent to consider the Appeal/representation made by the petitioner on 11.07.2018 and deal with the same on its own merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the Appeal/representation dated 11.07.2018 and a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Secretary to Govt. Government of Tamilnadu Cooperation, Food & Consumer Protection, Fort St. George, Chennai 9.
2. The Registrar of Cooperative Societies, "NVN" Maaligai, No.170, E.V.R.Periyar Salai, Kilpauk, Chennai 600 010.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.563  
+1cc to the Special Government Pleader, S.R.No.934

W.P.No.34 of 2020

VGI(CO)  
CS/11/02/2020