



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2020

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P(MD)No.4390 of 2020

N.Jaggaiyan

.. Petitioner

Vs.

1.The Registrar of Co-operative Societies,
O/o.Registrar of Co-operative Societies,
NVN Maligai, 170, EVR Periyar High Road,
Kilpauk, Chennai - 10.

2.The Joint Registrar of Co-operative Societies,
O/o.Joint Registrar of Co-operative Societies,
Theni Region, Theni District.

3.The Deputy Registrar of Co-operative Societies,
O/o.Deputy Registrar of Co-operative Societies,
Periyakulam Circle, Periyakulam.

4.The Special Officer,
A-1844, Chakkampatti Co-operative Store Ltd.,
Chakkampatti, Aandipatty Post,
Theni District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 14.11.2019, which made to regularize the job, within a time frame as fixed by this Court and pass such further or other orders.

For Petitioner : Mr.P.Santhanakrishnan

For Respondents 1 to 3 : Mr.M.Karuppasamy Pandian,
Government Advocate.

For Respondent No.4 : Mr.K.Mu.Muthu,
Additional Government Pleader.



ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the 1st respondent to regularize the service of the petitioner, based on his representation dated 14.11.2019.

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2.Mr.M.Karuppasamy Pandian, learned Government Advocate takes notice for the respondents 1 to 3 and Mr.K.Mu.Muthu, learned Additional Government Pleader, takes notice for the fourth respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that the 4th respondent Co-operative Store is functioning in Jakkampatty Village, Aandipatty Taluk, Theni District and 3 fair price shops and one Bharath Petroleum Outsell are functioning under the control of the 4th respondent. The respondents 2 and 3 passed a specific order for the appointment of daily wages employees, upon which, the 4th respondent passed a resolution regarding the appointment of 6 daily wages employees for Bharath Petroleum Outsell and the same was made entry in the resolution book. Accordingly, the 4th respondent appointed the petitioner and 5 others and the petitioner joined duty on 12.02.2005 as a daily wages employee.

4.According to the petitioner, though he was appointed in the year 2005, his services are not regularized and he is getting very low salary and therefore, he made several representations and the last one is dated 14.11.2019, to the 1st respondent, which evoked no response. Therefore, the petitioner has come up with the present writ petition.

5.The learned Government Advocate appearing for the respondents 1 to 3 and the learned Additional Government Pleader appearing for the 4th respondent submitted that the petitioner has made representation only to the 1st respondent. But, the petitioner has to submit his representation to the 4th respondent and the 4th respondent has to forward the same to the 1st respondent.

6.The learned counsel for the petitioner submitted that the petitioner will make a representation before the 4th respondent.

7.Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the respondents 1 to 3 and the learned Additional Government Pleader appearing for the 4th respondent and perused the materials available on record.



8.Considering the submissions made on either side and also considering the limited scope of prayer sought for in the Writ petition, without advertting to the merits of the petitioner's claim, the petitioner is directed to give a fresh representation to the 4th respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the 4th respondent is directed to forward the representation of the petitioner to the 1st respondent within a period of one week thereafter and the 1st respondent shall consider the same and pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.

9.With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

smn

To

- 1.The Registrar of Co-operative Societies,
O/o.Registrar of Co-operative Societies,
NVN Maligai,
170, EVR Periyar High Road,
Kilpauk, Chennai - 10.
- 2.The Joint Registrar of Co-operative Societies,
O/o.Joint Registrar of Co-operative Societies,
Theni Region, Theni District.
- 3.The Deputy Registrar of Co-operative Societies,
O/o.Deputy Registrar of Co-operative Societies,
Periyakulam Circle,
Periyakulam.
- 4.The Special Officer,
A-1844, Chakkampatti Co-operative Store Ltd.,
Chakkampatti,
Aandipatty Post,
Theni District.



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+1 CC to M/s.P.SANTHANA KRISNAN, Advocate (SR-9451[F] dated 02/03/2020)

+1 CC to M/s.P.SANTHANAKRISHNAN, Advocate (SR-9486[F] dated 02/03/2020)

+1 CC to M/s.SPL.GP (SR-9786[F] dated 03/03/2020)

**ORDER MADE IN
W.P (MD) No. 4390 of 2020
02.03.2020**

TR(10.03.2020) 4P 8C