



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.5607 of 2020

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R.A.360, Odaipatti Primary Agricultural
Cooperative Credit Society,
Odaipatti, rep. by its President,
L.Narayanasamy

.. Petitioner

Vs.

1.The Registrar of Co-operative Society,
Office of the Registrar of Co-operative Society,
Poonamallee High Road, Kilpauk,
Chennai - 10.

2.The Deputy Registrar of Cooperative Society,
Office of the Deputy Registrar,
Madavarvalagam, Srivilliputhur,
Virudhunagar District.

3.The Sub Registrar / Field Officer Co-operative Society,
Office of the Sub Registrar Co-operative Society,
V.R.D.C.C. Bank,
Sattur Taluk, Virudhunagar 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 3rd respondent to review and refix the salary of the employees working in the petitioner's society based on the circular No.14/2018 (Na.Ka.No.7646/2018 Tho.Ve.Sa.1) dated 08.11.2018 issued by the 1st respondent, pursuant to the petitioner's representation dated 08.02.2020 and pass such further or other orders.

For Petitioner

: Mr.S.M.Mohan Gandhi

For Respondents

: Mr.M.Karuppasamy Pandian,
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the 3rd respondent to review and refix the salary of the employees working in the petitioner's society based on the circular No.14/2018 (Na.Ka.No.7646/2018 Tho.Ve.Sa.1) dated 08.11.2018 issued by the 1st respondent and also based on the the petitioner's representation dated 08.02.2020.

2.Mr.M.Karuppasamy Pandian, learned Government Advocate takes notice for the respondents. 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 petitioner is the



President of R.A.360 Odaipatti Primary Agricultural Co-operative Credit Society, Sattur Taluk, Virudhunagar District. The aim of the petitioner's society is to empower the life of its members, mostly poor farmers. The employees are working very hard and with utmost care for the development of the society.

WEB COPY

4. According to the petitioner, the 1st respondent issued a circular No.14/2018 (Na.Ka.No.7646/2018 Tho.Ve.Sa.1), dated 08.11.2018, classifying the category of societies, based on the gain and business, as 'A', 'B' and 'C' and the petitioner's society is coming under the category of 'B'. The said circular has also given power to revise the salary of the employees working in the societies according to the category of the society. However, the 3rd respondent did not forward the proposal to the authorities to arrive at a settlement under Section 18(1) of the ID Act. Therefore, they made a representation dated 08.02.2020 to the 2nd respondent seeking to review and refix the salary of the employees of the petitioner's society by entering into the settlement under Section 18(1) of the ID Act. But, no action has been taken so far. Therefore, the petitioner has come up with the present writ petition.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

6. The learned counsel appearing for the petitioner would submit that it would suffice, if the representation of the petitioner dated 08.02.2020, is directed to be disposed of by the 2nd respondent as per law.

7. Considering the limited scope of prayer sought for, this Court, without adverting to the merits of the case, directs the 2nd respondent to consider the representation of the petitioner, dated 08.02.2020 and pass appropriate 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. While sending the copy of this order, the petitioner shall enclose the copy of the representation, dated 08.02.2020 to the 2nd respondent.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The Registrar of Co-operative Society,
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Office of the Deputy Registrar,
Madavarvalagam, Srivilliputhur,
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3.The Sub Registrar / Field Officer Co-operative Society,
Office of the Sub Registrar Co-operative Society,
V.R.D.C.C. Bank,
Sattur Taluk, Virudhunagar District.

+1 CC to M/s.S.M.MOHANGANTHI, Advocate (SR-12733[F] dated 20/03/2020)

+1 CC to M/s.SPL.GP (SR-12435[F] dated 19/03/2020)

**ORDER MADE IN
W.P (MD) No.5607 of 2020**

18.03.2020

SPU (23.06.2020) 3P-6C