

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.NO.3915 OF 2021
(HEARD THROUGH VC)

K.Dhanasekaran

.. Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Co-operation Food and Consumer Protection Department,
Fort St. George,
Chennai - 600 009.
2. The Registrar,
O/o.The Registrar of Co-operative Societies,
N.V.Natarajan Maaligai,
170, E.V.R. Periyar Salai,
Kilpauk, Chennai - 600 010.
3. The Joint Registrar,
O/o. The Joint Registrar of Co-operative Societies,
Room No.410, Collectorate Building,
Salem.
4. The Deputy Registrar,
Dharmapuri Circle Co-operative Societies,
Collectorate Complex,
Dharmapuri.

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to pass orders on the representation dated 03.01.2018 seeking regularization of the period between 03.06.2005 & 17.03.2006 (288 days) as compulsory wait and that of the suspension period between 22.09.2009 and 31.07.2011 (677 days), as duty for all purposes as per Fundamental Rules on merits and as per law 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

The writ petition has been filed seeking a direction to the respondents to pass orders on the petitioner's representation dated 03.01.2018 seeking regularization of the period between 03.06.2005 to 17.03.2006 (288 days) as compulsory wait and that of the suspension period between 22.09.2009 to 31.07.2011 (677 days), as duty for all purposes as per Fundamental Rules on merits and as per law within a time to be stipulated by this Court.

2. Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice on behalf of the respondents.

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

4. When the matter is taken up for hearing, it is represented by the learned Special Government Pleader appearing for the respondents that the Joint Registrar, Co-operative Society, Coimbatore is the Appropriate Authority to take a decision in the case of the petitioner and that he has not been impleaded as party to this writ petition.

5. In view of the above submission, the 2nd Respondent herein is directed to forward the petitioner's representation dated 03.01.2018 to the Joint Registrar of Co-operative Society, Coimbatore within a period of two weeks from the date of receipt of a copy of this order, so as to enable the Joint Registrar of Co-operative Society, Coimbatore to take a decision in this matter. Since the petitioner has not made any representation to the Joint Registrar, Co-operative Society, Coimbatore, it is open to him to make a fresh representation to the Joint Registrar, Co-operative Society, Coimbatore, by enclosing a copy of his previous representation and this Order. On receipt of the representation, the Joint Registrar of Co-operative Society, Coimbatore shall take a decision on the representation, after affording an opportunity of hearing to the petitioner, within a period of 90 days from the date of receipt of the representation and communicate the decision taken thereon, to the petitioner within a period of three weeks thereafter.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rsi

To:

1. The Principal Secretary,
State of Tamil Nadu,
Co-operation Food and Consumer Protection Department,
Fort St. George, Chennai - 600 009.
2. The Registrar,
O/o.The Registrar of Co-operative Societies,
N.V.Natarajan Maaligai,
170, E.V.R. Periyar Salai,
Kilpauk, Chennai - 600 010.
3. The Joint Registrar,
O/o. The Joint Registrar of Co-operative Societies,
Room No.410, Collectorate Building,
Salem.
4. The Joint Registrar
of Co-operative Society,
Coimbatore.
5. The Deputy Registrar,
Dharmapuri Circle Co-operative Societies,
Collectorate Complex,
Dharmapuri.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.11054
+1cc to the Government Pleader, S.R.No.11390

W.P.No.3915 of 2021

GMI (CO)
CS/09/07/2021

सत्यमेव जयते

WEB COPY