

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.6425, 6427, 6428, 6430, 6432, 6434, 6438, 6442, 6449,
6452, 6455, 6460, 6461, 6462, 6464 and 6467 of 2021

1 G.THAMARAISELVAN ... PETITIONER in WP No.6425 of 2021
1 P.SAKTHIVEL ... PETITIONER in WP No.6427 of 2021
1 K.MURUGAN ... PETITIONER in WP No.6428 of 2021
1 A.M.SENTHILKUMAR ... PETITIONER in WP No.6430 of 2021
1 D.VASUKI ... PETITIONER in WP No.6432 of 2021
1 N.BAGYARANI ... PETITIONER in WP No.6434 of 2021
1 A.SUNDARARAJAN ... PETITIONER in WP No.6438 of 2021
1 K.MANIKANDAN ... PETITIONER in WP No.6442 of 2021
1 R.PONNUSAMY ... PETITIONER in WP No.6449 of 2021
1 M.GOBINATH ... PETITIONER in WP No.6452 of 2021
1 L.VASANTHI ... PETITIONER in WP No.6455 of 2021
1 V.SARAVANAKUMAR ... PETITIONER in WP No.6460 of 2021
1 T.S.POONGODI PADMINI ... PETITIONER in WP No.6461 of 2021
1 S.SAKTHIVEL ... PETITIONER in WP No.6462 of 2021
1 V.NAGARAJ ... PETITIONER in WP No.6464 of 2021
1 C.SENTHILKUMAR ... PETITIONER in WP No.6467 of 2021

Vs.

1 THE REGISTRAR OF CO-OPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI, VEPPEY, CHENNAI 600 017.

- 2 THE DEPUTY REGISTRAR
(HOUSING) COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
ANNA COOPERATIVE HOUSE BUILDING SOCIETY LTD.
CBE / HSG -9 NO.6 (2) GENGA NAGAR
2nd STREET FIRST FLOOR AVINASHI ROAD
TIRUPPUR 641 602. ...RESPONDENTS in WP No.6425 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
VEERAPANDI COOPERATIVE HOUSE BUILDING
SOCIETY LTD. NO.K.2004 NO.B-11-14
K.M.TOWERS FIRST FLOOR KANGAYAM CROSS ROAD
TIRUPPUR 641 604. ... RESPONDENT in WP No.6427 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY LTD.
NO.1081 GOPALAPURAM COIMBATORE 641 018.
...RESPONDENTS in WP No.6428 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY LTD.
NO.1081 GOPALAPURAM COIMBATORE 641 018.
... RESPONDENT in WP No.6430 of 2021

- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
SATHYA INDUSTRIAL WORKERS COOPERATIVE
HOUSING SOCIETY LTD. NO.CBE / HSG - 5
NO.513 N.P.COMPLEX AVINASHI ROAD
TIRUPPUR 641 602. ... RESPONDENT in WP No.6432 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY
LTD. NO.1081 GOPALAPURAM
COIMBATORE 641 018. ... RESPONDENT in WP No.6434 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
K- 1676 UPPILIPALAYAM MILL INDUSTRIAL WORKER
COOPERATIVE HOUSE CONSTRUCTION SOCIETY LTD.
UPPLIPALAYAM POST COIMBATORE 641 015.
... RESPONDENT in WP No.6438 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.

- 3 THE PRESIDENT
COIMBATORE TOWN DEVELOPMENT COOPERATIVE
HOUSING SOCIETY LTD. K.525 PLOT NO.2
BLOCK NO.3 VALLALAR NAGAR ONDIPUDUR
COIMBATORE 641 016. ... RESPONDENT in WP No.6442 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSI
NG) COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
TIRUPPUR BANIAN EMPLOYEES COOPERATIVE
HOUSING SOCIETY LTD. NO.CBE / HSG -45 NO.
351 BIRLA COMPLEX PERUMANALLUR ROAD
TIRUPPUR 641 602. ... RESPONDENT in WP No.6449 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY LTD.
NO.1081 GOPALAPURAM COIMBATORE 641 018.
... RESPONDENT in WP No.6452 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48
RITHERTON SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
ANNA COOPERATIVE HOUSE BUILDING SOCIETY LTD.
CBE / HSG -9 NO.6 (2) GANGA NAGAR 2ND
STREET FIRST FLOOR AVINASHI ROAD
TIRUPPUR 641 602. ... RESPONDENT in WP No.6455 of 2021
- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.

2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.

3 THE PRESIDENT
AVINASHI COOPERATIVE HOUSING SOCIETY LTD.
NO.SLM - HSG -16 NO.12 /135 - A V.O.C.
COLONY AVINASHI 641 654 TIRUPPUR DISTRICT.
... RESPONDENT in WP No.6460 of 2021

1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.

2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.

3 THE PRESIDENT
ANNA COOPERATIVE HOUSE BUILDING SOCIETY LTD.
CBE / HSG -9 NO.6 (2) GANGA NAGAR
2nd STREET FIRST FLOOR AVINASHI ROAD
TIRUPPUR 641 602.
... RESPONDENT in WP No.6461 of 2021

1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.

2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.

3 THE PRESIDENT
K.1832 BHARATHI COOPERATIVE BUILDING SOCIETY LTD.
NO.78A 3RD STREET BHARATHI COLONY
PEELAMEDU COIMBATORE 641 004.
... RESPONDENT in WP No.6462 of 2021

1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.

2 THE DEPUTY REGISTRAR (HOUSING)
COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.

3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY

LTD. NO.1081 GOPALAPURAM
COIMBATORE 641 018. ... RESPONDENT in WP No.6464 of 2021

- 1 THE REGISTRAR OF COOPERATIVE
SOCIETIES (HOUSING) NO.48 RITHERTON
SALAI VEPPERY CHENNAI 600 017.
- 2 THE DEPUTY REGISTRAR (HOUSI
NG) COIMBATORE REGION COIMBATORE
COIMBATORE DISTRICT.
- 3 THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY
LTD. NO.1081 GOPALAPURAM COIMBATORE 641 018.
... RESPONDENT in WP No.6467 of 2021

Common Prayer in all W.Ps:

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to regularize the Petitioner's service as Office Assistant in the 3rd Respondent Society by giving retrospective effect from the date of appointment.

For Petitioner in all W.Ps. : Mr.C.Prakasam

For Respondents in all W.Ps.: Mr.P.Balaramesh,
Additional Government Pleader

COMMON ORDER

As the issue involved in the above Writ Petitions is one and the same, cases are taken up for disposal by a common order.

2. Petitioners have come up with the above Writ Petitions seeking a direction to the Respondents to regularize their service as Office Assistant in the 3rd Respondent Society, by giving retrospective effect from the date of appointment.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. It is represented by the learned Additional Government Pleader appearing for the Respondents that, the issue in question is squarely covered by the order dated 19.02.2021 passed by this Court in W.P.No.21440 of 2020, batch of cases, wherein, the issue similar to the case on hand came up for consideration.

5. In view of the ratio laid down by this Court in the order dated 19.02.2021 passed by this Court in W.P.No.21440 of 2020 batch of cases, this Court issues the following directions:

(a) All those Petitioners who have fulfilled their educational qualification and who have been appointed in a sanctioned post within the cadre strength, and are in regular scale of pay, are declared to have satisfied the substantial/mandatory qualification prescribed under Rule 149(1) of the Rules;

(b) The appointments not being sponsored by the Employment Exchange, as prescribed under Rule 149(2) of the Rules, will only make the appointments irregular and not illegal;

(c) All the Petitioners who have fulfilled the criteria stipulated in clause (a), shall be regularized by the Respondents by issuing appropriate proceedings within a period of eight weeks from the date of receipt of a copy of the order by taking the cut-off date on par with similarly placed persons.

(d) Regularization of service of the Petitioners will not entail them with any additional monetary benefits except the consequential benefits which flow from such regularization; and

(e) The benefit of regularization that is extended to the eligible Petitioners, as the case may be, shall also be extended to all those employees who are similarly placed even though they have not knocked at the doors of this Court.

Accordingly, the batch of Writ Petitions are disposed of.
No costs.

सत्यमेव जयते
s/d-

Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

(aeb)

TO:

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES (HOUSING),
NO.48, RITHERTON SALAI, VEPERY, CHENNAI 600 017.

2. THE DEPUTY REGISTRAR (HOUSING),
COIMBATORE REGION, COIMBATORE, COIMBATORE DISTRICT.
3. THE PRESIDENT,
ANNA CO-OPERATIVE HOUSE BUILDING SOCIETY LTD.,
CBE/HSG-9, NO.6(2), GENGGA NAGAR 2ND STREET,
FIRST FLOOR, AVINASHI ROAD, TIRUPPUR - 641 602.
4. THE PRESIDENT
VEERAPANDI COOPERATIVE HOUSE BUILDING
SOCIETY LTD. NO.K.2004 NO.B-11-14 K.M.
TOWERS FIRST FLOOR KANGAYAM CROSS ROAD
TIRUPPUR 641 604.
5. THE PRESIDENT
THE COIMBATORE COOPERATIVE HOUSING SOCIETY
LTD. NO.1081 GOPALAPURAM
COIMBATORE 641 018.
6. THE PRESIDENT
SATHYA INDUSTRIAL WORKERS COOPERATIVE
HOUSING SOCIETY LTD. NO.CBE / HSG - 5
NO.513 N.P.COMPLEX AVINASHI ROAD
TIRUPPUR 641 602.
7. THE PRESIDENT
K- 1676 UPPILIPALAYAM MILL INDUSTRIAL WORKER
COOPERATIVE HOUSE CONSTRUCTION SOCIETY LTD.
UPPLIPALAYAM POST COIMBATORE 641 015.
8. THE PRESIDENT
COIMBATORE TOWN DEVELOPMENT COOPERATIVE
HOUSING SOCIETY LTD. K.525 PLOT NO.2
BLOCK NO.3 VALLALAR NAGAR ONDIPUDUR
COIMBATORE 641 016.
9. THE PRESIDENT
TIRUPPUR BANIAN EMPLOYEES COOPERATIVE
HOUSING SOCIETY LTD. NO.CBE / HSG -45 NO.
351 BIRLA COMPLEX PERUMANALLUR ROAD
TIRUPPUR 641 602.
10. THE PRESIDENT
ANNA COOPERATIVE HOUSE BUILDING SOCIETY LTD.
CBE / HSG -9 NO.6 (2) GANGA NAGAR 2ND
STREET FIRST FLOOR AVINASHI ROAD
TIRUPPUR 641 602.

11. THE PRESIDENT
AVINASHI COOPERATIVE HOUSING SOCIETY LTD.
NO.SLM - HSG -16 NO.12 /135 - A V.O.C.
COLONY AVINASHI 641 654 TIRUPPUR DISTRICT.

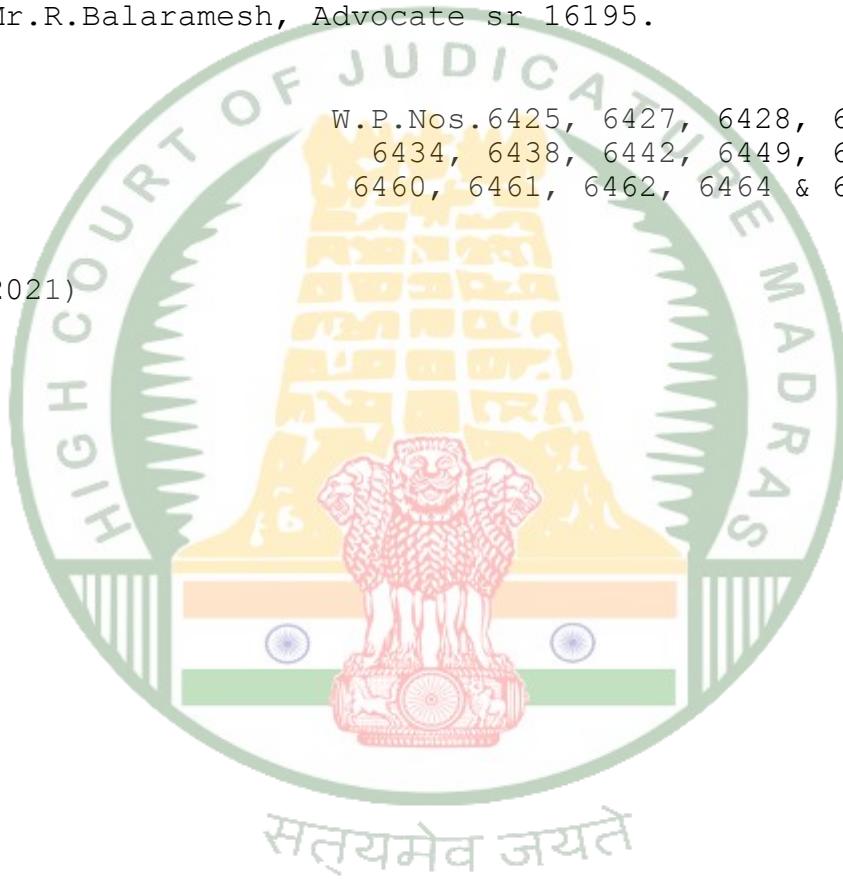
12. THE PRESIDENT
K.1832 BHARATHI COOPERATIVE BUILDING SOCIETY
LTD. NO.78A 3RD STREET BHARATHI COLONY
PEELAMEDU COIMBATORE 641 004.

+1 CC to Mr.C.Prakasam, Advocate sr 16198

+1 CC to Mr.R.Balaramesh, Advocate sr 16195.

W.P.Nos.6425, 6427, 6428, 6430, 6432,
6434, 6438, 6442, 6449, 6452, 6455,
6460, 6461, 6462, 6464 & 6467 of 2021

SSN(CO)
SP(28/04/2021)



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