

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.04.2021

CORAM

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P.No.9224 of 2021

R.Rajeswari

..Petitioner

Vs.

1.The Joint Registrar
Co-operative Societies
Arogiyasamy Street
Saibaba Colony
Coimbatore-641 038

2.The Deputy Registrar
Co-operative Societies
Pollachi Circle
16, Kamaraja Road
Mahalingapuram
Pollachi-642 002

3.The President
K-97, Kinathukadavu
Primary Agricultural Co-operative Credit Society
Kinathukadavu
Coimbatore

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus directing the respondents to call or the records of Revision petition No. Na.Ka.1222/2020 and to quash the order passed by the 1st respondent on 09.02.2021 and direct the 1st respondent to reconsider the revision petition filed by the petitioner on 27.02.2020.

For Petitioner

: Mr.B.Dhinesh Kumar

For Respondents

: Mr.L.P.Shanmuga Sundaram,
Spl.Govt.Pleader

ORDER

Petitioner has some grievances with respect to fixation of her pay. She retired on 31.07.2015. Thereafter, she has made a representation for rectification of the anomaly in her pay fixation. But, however by the impugned order dated 09.02.2021 her claim was rejected as barred by limitation as it has been filed after 5 years and 3 months. Aggrieved over the same, the petitioner is before this Court.

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

3. It is well settled that in respect of pay fixation and deficit pay made month after month is a recurring cause of action and period of limitation will not apply. For the delay, the respondents can refuse to pay the interest but they cannot deprive the financial benefits due to the employee. Therefore, the impugned order passed by the respondent dated 09.02.2021 is set aside and a direction is given to the respondent to consider the request of the petitioner on merits and in accordance with law within a period of three months from the date of receipt of order copy and if found eligible shall disburse the amount as expeditiously as possible.

With the above direction, writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

Kpr

To

1.The Joint Registrar
Co-operative Societies
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Saibaba Colony
Coimbatore-641 038

2.The Deputy Registrar
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16, Kamaraja Road
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3.The President
K-97, Kinathukadavu
Primary Agricultural Co-operative Credit Society
Kinathukadavu
Coimbatore

+1cc to Mr.B.Dinesh Kumar, Advocate, S.R.No. 22942
+1cc to the Special Government Pleader, S.R.No. 23123

W.P.No.9224 of 2021

PL(CO)
GN(04/05/2021)