



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.7983 and 7988 of 2021
(Heard through VC)

S.Nachimuthu .. Petitioner in W.P.No.7983/2021
C.Visakan .. Petitioner in W.P.No.7988/2021

-vs-

1. The Registrar of Cooperative Societies,
E.V.R. Periyar High Road, Kilpauk,
Chennai - 600 010.
2. The Joint Registrar of Cooperative Societies,
Tiruppur Region, Tiruppur,
Tiruppur District.
3. The President,
A.A.196, Thoppampatty Primary
Agricultural Cooperative Credit Society,
Thoppampatty Post - 638 657,
Dharapuram Taluk,
Tiruppur District. ..Respondents in W.P.No.7983/2021
- 1.The Registrar of Cooperative Societies,
E.V.R. Periyar High Road, Kilpauk,
Chennai - 600 010.
- 2.The Joint Registrar of Cooperative Societies,
Erode Region, Mohan Kumaramangalam Road,
Surampatti, Erode - 638 009,
Erode District.
- 3.The President,
E.G.53, Gopi - Sathy Taluk Rural Development,
Local Body Employees and Noon Meal Employees
Cooperative Thrift and Credit Society,
Gobichettipalayam - 638 452,
Erode District. ..Respondents in W.P.No.7988/2021



Common Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the petitioner's service as Clerk in the 3rd respondent society by giving retrospective effect from the date of appointment.

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

For Respondents : Mr.D.Venkatachalam
in W.P.No.7983/2021

For Respondents : Mr.L.P.Shanmugasundaram
in W.P.No.7988/2021

COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents to regularize the petitioners' service as Clerk in the 3rd respondent society by giving retrospective effect from the date of appointment.

2. In W.P.No.7983 of 2021, Mr.D.Venkatachalam, learned standing counsel takes notice on behalf of the respondents. Mr.L.P.Shanmugasundaram, learned standing counsel takes notice on behalf of the respondents in W.P.No.7988 of 2021.

3. By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

4. It is represented by 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) Petitioners herein, 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) Appointments not being sponsored by the Employment Exchange, as prescribed under



WEB COPY

Rule 149(2) of the Rules, will only make the appointments irregular and not illegal;

(c) 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, these Writ Petitions stand disposed of. No costs.

s/d-
Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

rsi
To

- 1.The Registrar of Cooperative Societies,
E.V.R. Periyar High Road, Kilpauk,
Chennai - 600 010.
- 2.The Joint Registrar of Cooperative Societies,
Tiruppur Region, Tiruppur,
Tiruppur District.
- 3.The President,
A.A.196, Thoppampatty Primary
Agricultural Cooperative Credit Society,
Thoppampatty Post - 638 657,
Dharapuram Taluk,
Tiruppur District.



4.The Joint Registrar of Cooperative Societies,
Erode Region, Mohan Kumaramangalam Road,
Surampatti, Erode - 638 009,
Erode District.

WEB COPY

5.The President,
E.G.53, Gopi - Sathy Taluk Rural Development,
Local Body Employees and Noon Meal Employees
Cooperative Thrift and Credit Society,
Gobichettipalayam - 638 452,
Erode District.

+1 CC to Mr.D.Venkatachalam, Advocate sr 20406.

+2 CC to Mr.C.Prakasam, Advocate sr 20466.

W.P.Nos.7983 and 7988 of 2021

RSI (CO)
SP(20/07/2021)