



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.19196 of 2021

(Through Video Conferencing)

1. K.Sureshkumar,
2. V.Vasudevan,
3. R.Dhanalakshmi,
4. G.Senthivelan,
5. L.Baranidharan.

... Petitioners

Vs

1. The Registrar of Co-operative Societies (Housing),
No.48, Ritherton Road,
Vepperi, Chennai - 636 001.
2. The Deputy Registrar of Co-operative Societies (Housing),
East Garden Street,
Salem Region,
Salem.
3. S.1523, Dr.Ambedkar Salem City,
Co-operative House Building Society Ltd.,
Rep by its President,
No.9, Paulpillai Street,
Kottai, Salem - 636 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, to direct the second respondent to approve the proposal submitted by the third respondent dated 14.12.2020 pursuant to the order of the first respondent in RC.No.6263/2018/B1 dated 12.11.2020.

For Petitioner : M.S.Palaniswamy

For R1 & R2 : Mr.L.S.M.Hasan Fizal,
Government Advocate

For R3 : Mr.Richardson Wilson,
Government Advocate



ORDER

The petitioners were regularized as Secretary, Clerk, Junior Clerk and Office Assistant with the 3rd respondent pursuant to the order of this Court in W.P.No.839 of 2020 dated 20.01.2020. Pursuant to the aforesaid order, the 1st respondent has also passed an order dated 12.11.2020 regularizing the service of the petitioners. The relevant portion of the order reads as under:-

f) This orders shall take with effect from the date of his order. Provided that the above directions 5(a) to (e) will be allowed only if the society follows the pay fixation as per Registrar of Cooperative Societies (Housing) R.C.No.5465/1991/C4 dated 15.11.1991 for Urban Societies and in R.C.No.17864/1990/C4 dated 12.11.1990 for Taluk Society is fixed and there by fixation as per Registrar of Cooperative Societies (Housing) R.C.NO.4304/2003 SF2 dated 15.06.2009.

The Deputy Registrar (Housing), Salem is authorized to fix the pay as above.

2. Pursuant to the aforesaid order of the 1st respondent, a resolution was also passed by the 3rd respondent and proposal was also sent by the 3rd respondent to the 2nd respondent in compliance of the above direction. However, the aforesaid proposal sent by the 3rd respondent to the 2nd respondent has not evoked any positive response. Despite the reminders from the 3rd respondent on various dates on 10.02.2021, 22.04.2021, 13.07.2021 and 09.08.2021, no orders have been passed.

3. Mr. L.S.M. Hasan Fizal, learned Government Advocate for the 1st and 2nd respondents submits that appropriate orders will be passed on these representations/considering the proposals of the 3rd respondent by the 2nd respondent within a period of six weeks from the date of receipt of a copy of this order.

4. Mr. Richardson Wilson, learned Government Advocate for the 3rd respondent submits that there is a vacancy in the post of the 2nd respondent and therefore sufficient time may be granted to the respondents to act on the representations and the proposals sent by the 3rd respondent to pass appropriate orders.



5.This writ petition is disposed by directing the 2nd respondent to take steps to implement the decision, in terms of the proposal submitted by the 3rd respondent dated 14.12.2020 within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar of Co-operative Societies (Housing),
No.48, Ritherton Road,
Vepperi, Chennai - 636 001.
2. The Deputy Registrar of Co-operative Societies (Housing),
East Garden Street,
Salem Region, Salem.
3. The President,
S.1523, Dr.Ambedkar Salem City,
Co-operative House Building Society Ltd.,
No.9, Paulpillai Street, Kottai,
Salem - 636 001.

+lcc to Mr.Palaniswamy, Advocate Sr.46380
+lcc to the Government Pleader Sr.46851

W.P.No.19196 of 2021

rld[co]
srg 26/10/2021