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W.P(MD)No.8498 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.8498 of 2021

Piraimalar Kannan

... Petitioner

vs.

- 1.The State, Rep. by
The Chief Secretary,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The State of Tamil Nadu, Rep. by the Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
- 3.The Registrar (Housing),
Tamil Nadu Co-operative Housing Society,
Tamil Nadu Housing Board Campus,
No.493, Anna Salai,
Nandanam,
Chennai - 600 035.
- 4.The District Collector,
Collector Office,
Dindigul District,
Dindigul.
- 5.The Deputy Registrar (Housing),
Deputy Registrar Office,
Madurai Zone, Madurai.
- 6.The President,
(MDA-HSG-5) Vedachandur Co-operative
Housing Society,
16-K4, Kongu Nagar,
Vedachandur,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of

<https://hcservices.ecourts.gov.in/hcservices/> for issuance of a Writ of Mandamus, directing the respondents



to provide the arrears of salary including the alternative job to the petitioner in any other Government Departments in the case of closure of the Co-operative Society based on the representation of the petitioner, dated 09.03.2021 within the time stipulated by this Court.

For Petitioner : Mr.S.Kameswaran

For RR 1 to 5 : Mr.P.Subbaraj
Government Advocate

ORDER

This Writ Petition is filed seeking a Writ of Mandamus, directing the respondents to provide the arrears of salary including the alternative job to the petitioner in the case of closure of the Co-operative Society, based on his representation, dated 09.03.2021 within the time frame to be fixed by this Court.

2.According to the petitioner, he was appointed as an Office Assistant in the sixth respondent Society on 01.06.1999. The sixth respondent Society was functioning till 2004, by granting loans to its members for construction of houses. From the year 2004, the sixth respondent Society has become defunct and not granted any loan to its members. The sixth respondent Society was dissolved by the proceedings of the fifth respondent, dated 29.01.2018 and the Sales Officer has collected all the documents of the sixth respondent Society and handed over the same to the fifth respondent. In such circumstances, the petitioner was not paid with salary for nine months. Hence, the petitioner has given a representation, dated 09.03.2021, to the respondents to pay arrears of salary and provide alternate work in other Government Department. So far no action has been taken on the side of the respondents 1 to 5, the petitioner has come out with the present Writ Petition.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 5.

4.Considering the fact that the sixth respondent Society has become defunct and has been dissolved, as per the provisions of the Tamil Nadu Co-operative Societies Act, 1983, the respondents 1 to 5 are directed to consider the representation of the petitioner, dated 09.03.2021 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (W)

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/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Chief Secretary,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Secretary,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
3. The Registrar (Housing),
Tamil Nadu Co-operative Housing Society,
Tamil Nadu Housing Board Campus,
No.493, Anna Salai,
Nandanam,
Chennai - 600 035.
4. The District Collector,
Collector Office,
Dindigul District,
Dindigul.
5. The Deputy Registrar (Housing),
Deputy Registrar Office,
Madurai Zone, Madurai.

+1 CC to M/s.SPL GP (SR-19346[F] dated 15/06/2021)

W.P(MD)No.8498 of 2021

14.06.2021

KK(28.06.2021) 3P 7C