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W.P.(MD) No.15816 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.15816 of 2021

R.Rajendran

... Petitioner

vs.

1.The Registrar of Co-Operative Societies,
O/o.The Registrar of Co-Operative Societies,
No.170, NVN Maligai,
EVR. Periyar High Road, Kilpauk,
Chennai - 600 010.

2.The Registrar of Co-Operative Societies (Housing),
Tamil Nadu Co-Operative Housing Federation Complex,
Second Floor, No.48, Richerton Road,
Vepery, Chennai - 7.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representations dated 12.01.2021, 15.02.2021 and 19.07.2021 to make necessary entries in the Service Register (SR) regarding the punishment set-aside by this Court in W.P.(MD) No.9508 of 2014 dated 04.02.2020 and to revise and re-fix the annual increment for the years 2013, 2014 and 2015 and consequently pay the arrears of salary and pension in the revised scale of pay within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.A.K.Manikkam,
Counsel for State

O R D E R

This Writ Petition has been filed, praying for issuance of a Writ of Mandamus, to direct the second respondent to consider the petitioner's representations dated 12.01.2021, 15.02.2021 and 19.07.2021 to make necessary entries in the Service Register (SR) regarding the punishment set-aside by this Court in W.P.(MD) No.9508 of 2014 dated 04.02.2020 and to revise and re-fix the annual increment for the years 2013, 2014 and 2015 and consequently pay the arrears of salary and pension in the revised scale of pay within the



period that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondents.

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3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, while working as Deputy Registrar of Co-operative Societies, he was initiated with disciplinary proceedings for the allegation that while he was working as Co-operative Sub Registrar, he failed to monitor the irregularities committed by the Secretary of the Chettykuruchi Primary Agricultural Co-operative Bank. After completion of the proceedings, he was imposed with a punishment of stoppage of increment for one year and six months without cumulative effect, which was confirmed by the appellate authority, the 1st respondent herein. Challenging the same, the petitioner has filed a Writ Petition in W.P.No.9508 of 2014, which came to be allowed by this Court vide order dated 04.02.2020 setting aside the punishment. The grievance of the petitioner is that after setting aside the punishment by this Court, he is entitled to annual increment for the period with arrears and also necessary entries to be made in his Service Register. In this regard, the petitioner made various representations on 12.01.2021, 15.02.2021 and 19.07.2021, seeking to revise the pension by refixing the annual increment and to pay the arrears. However, despite his representations, since no action is forthcoming, the petitioner has come forward with the present Writ Petition.

5. The learned counsel appearing for the respondents would submit that if there is no other legal impediment and if the representation made by the petitioner is otherwise in order and pending with the respondents, the same would be considered and disposed of in accordance with law within a reasonable time as directed by this Court.

6. In view of the submissions made by the learned counsel on either side and also in view of the limited scope of prayer as sought by the petitioner, without expressing any opinion on merits, this Court directs the respondents 1 to 3 to consider the petitioner's representation dated 19.07.2021 and pass appropriate orders therein in accordance with law and on merits, within a period of 12 weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (Records)

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/ /2021

Sub Assistant Registrar(CS)

Dn

To

1.The Registrar of Co-Operative Societies,
O/o.The Registrar of Co-Operative Societies,
No.170, NVN Maligai,
EVR. Periyar High Road, Kilpauk,
Chennai - 600 010.

2.The Registrar of Co-Operative Societies (Housing),
Tamil Nadu Co-Operative Housing Federation Complex,
Second Floor, No.48, Richerton Road,
Vepery, Chennai - 7.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-28223[F] dated
06/09/2021)

+1 CC to M/s.GP (SR-28179[F] dated 06/09/2021)

W.P. (MD) No.15816 of 2021
03.09.2021

RD(21.09.2021) 3P 5C