

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.401 of 2022
and
W.M.P.No.459 of 2022

Tmt.Anthony Sharmila

...Petitioner

Vs.

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies,
Tirunelveli.
3. The Deputy Registrar of Co-operative Societies,
Cherammadevi,
Tirunelveli.
4. The President,
T.A,105, INS Kattabomman Employees Co-operative
Thrift and Credit Society Ltd,
Ilamkulam Post, Kakkan Nagar - 627 110.
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the first and respondent to give suitable instructions to the 2nd and 3rd respondents to take necessary action against the 4th respondent based on the representation dated 02.11.2021 given by the petitioner, regarding to initiate the departmental enquiry into sexual harassment incident on 09.04.2020 at work place committed by the 4th respondent and pending outcome of such enquiry desists from taking action against the petitioner on false and baseless allegations.

For Petitioner : Mr.J.Muthukumaran

For Respondents R1 to 3 : Mr.B.Tamil Nidhi, AGP

For Respondent R4 : No appearance

ORDER

This writ petition is disposed after hearing the learned counsel for the petitioner and the respondents.

2. The petitioner has filed this writ petition to direct the first respondent to give suitable instructions to the second and third respondents to take necessary action against the fourth respondent based on the representation dated 02.11.2021 given by the petitioner, regarding the sexual harassment made out on 09.04.2020 at work place committed by the fourth respondent. This Court on earlier occasion had directed the respondents to file status report by an order dated 12.01.2022.

3. The representation dated 02.11.2021 of the petitioner to the second and third respondents deserves attention by the first respondent.

4. Considering the above, I am inclined to dispose this writ petition by directing the first respondent to dispose of the representation of the petitioner dated 02.11.2021 by suitably directing the second and third respondents to take necessary action against the fourth respondent based on the aforesaid representation of the petitioner. If Prima facie case is made out for initiating proceedings against the 4th respondent/President of the INS Kattabomman Employees Co-operative Thrift and Credit Society Ltd under the Provisions of Sexual Harassment of Women at work place (Prevention, Prohibition and Redressal) Act, 2013 and Rules made thereunder within a period of six weeks from the date of receipt of a copy of this order. The respondents are directed to maintain the status quo as on date as far as the petitioner is concerned pending dispose of the petitioner's representation.

5. This writ petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 600 010.

2. The Joint Registrar of Co-operative Societies,
Tirunelvel.
3. The Deputy Registrar of Co-operative Societies,
Cherammadevi,
Tirunelveli.
4. The President,
T.A,105, INS Kattabomman Employees Co-operative
Thrift and Credit Society Ltd,
Ilamkulam Post, Kakkan Nagar - 627 110.
Tirunelveli District.

+lcc to Mr.J.Muthukumaran, Advocate SR. No. 36977
+lcc to Mr.M.A.Rua, Advocate SR. No. 36864
+lcc to Government Pleader SR. No. 37669

W.P.No.401 of 2022
and
W.M.P.No.459 of 2022

RK (CO)
PR (13/07/2022)