



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4556 of 2022

S.Krishnakumar

... Petitioner

vs.

1.The Registrar Co-operative Societies,
No.170, Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

2.The Additional Registrar/
Managing Director,
Tamilnadu Co-operative Union,
Chennai - 600 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to dispose petitioner's representation dated 09.12.2021 in the light of the order passed in W.P.No.21440 of 2015 dated 19.02.2021 within time frame as fixed by this Court.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondent : Mr.P.Ganesan, Addl.Govt.Pleader
for R1.

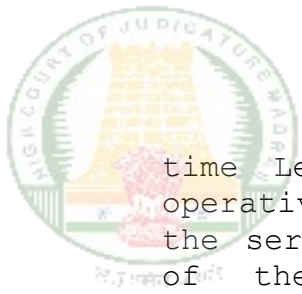
: Mr.A.Selvendran, Spl.Govt.Pleader
for R2.

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to dispose the petitioner's representation dated 09.12.2021 in the light of the order passed in W.P.No.21440 of 2015 dated 19.02.2021, within time frame as fixed by this Court.

2. The case of the petitioner in brief:

The petitioner herein was temporarily appointed as a full



time Lecturer in the year 2000, in the institution of Co-operative Management on consolidated pay and he is continuing the service for more than 21 years, without any regularization of the service. The salary was paid by the Deputy Registrar/Principal of concerned institution of Cooperative management. The petitioner requested the respondents to fix the time scale pay, as per the proceedings of the first respondent in R.C.No.92088/2008/SF3 dated 21.08.2008, whereby the employees of various co-operative institutions were given time scale of pay those service were not regularized till 12.03.2001, subject to certain conditions. In the light of the above, the petitioner filed writ petition in W.P.No.15544 of 2018 and this court vide order dated 27.06.2018 directed the respondents to consider the representation of the petitioner. Further, pursuant to the orders passed by this court in W.P.No.21440 of 2015 etc. batch dated 19.02.2021, the 1st respondent had issued a circular No.7 of 2021 dated 09.09.2021 to all the concerned Registrars to regularize the service of the employees, on the seniority basis of their eligibility. In the light of the above circular, the petitioner is entitled for regularization of service and hence, he made representation dated 09.12.2021 to the respondents. However, it was not considered by them. Hence this petition.

3. Heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents.

4. The learned Additional Government Pleader appearing for the 1st respondent and the learned Special Government Pleader appearing for the 2nd respondent submitted that, the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed, in accordance with law, within a time frame as fixed by this court.

5. Inview of the above submissions and also considering the limited scope of prayer and to meet the ends of justice, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows:

i) The second respondent is directed to consider the said representation of the petitioner dated 09.12.2021, and pass appropriate orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. If any approval is required from the first respondent, they shall take appropriate decision immediately and communicate the same to the second respondent without any delay.



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6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

ata/mst

To

1.The Registrar,
Co-operative Societies,
No.170, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.

2.The Additional Registrar/
Managing Director,
Tamilnadu Co-operative Union,
Chennai - 600 010.

+1cc to the Government Pleader SR.No.14663

W.P.No.4556 of 2022

JP (CO)
GN (21/03/2022)