



W.P.No.25792 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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and W.M.P.No.22100 of 2016

- 1 B.Dastugir
- 2 K.Nedunchelian
- 3 P.Arulraj
- 4 M.C.Muthukumar
- 5 R.Mohanasundaram
- 6 V.Srinivasan
- 7 R.Shanmugam
- 8 S.Doss
- 9 P.Sagadevan
- 10 R.Jaishankar
- 11 P.Gangadharan
- 12 D.Gnanavel
- 13 M.G.Venkatesan



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14 R.Ramachandran

15 D.Mani

16 K.Mariappan

17 K.Munusamy

18 E.Kumaresan

19 B.Murali

20 D.Senthilkumar

21 A.Manikandan

22 S.Malligaikannan

23 A.Srinivasan

24 S.Pugazhenth

25 E.Baskaran

...Petitioners

Vs.

1 The Union of India

Rep. by the Chairman & Secretary

Atomic Energy Commission & Department of Atomic Energy

Anushaki Bhavan,

Chatrapathi Shivaji Maharaj Marg

Mumbai - 400 001.



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- 2 The Director
Indira Gandhi Centre for Atomic Research &
General Service Organisation,
Department of Atomic Energy,
Kalpakkam-603 102
Kancheepuram District.
- 3 The Chairman
Kalpakkam Management Committee
Department of Atomic Energy,
Kalpakkam-603 102
Kancheepuram District.
- 4 The Station Director
Madras Atomic Power Station,
Nuclear Power Organisation of India Limited,
Kalpakkam-603 102.
- 5 The Chairman and Managing Director
Bharathiya Nabhikiya Vidyut Nigam Limited
Bhavini Admin Building,
Kalpakkam - 603 102,
Kancheepuram District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to treat the employees of the Atomic Energy Employees consumer Co-operative Stores Limited in par with the employee of Department of Atomic Energy (DAE) and as their as regular servants and given them the pay scales that are given to regular DAE servants in their corresponding



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posts with effect from 06.04.2013.

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For Petitioner

: Mr.V.Vinoth Kumar for
M/s.S.Vijaydharani

For Respondents

: Mr.G.Baskaran
Central Government Standing Counsel

ORDER

The relief sought for in the present writ petition is to direct the respondents to treat the employees of the Atomic Energy Employees Consumer Co-Operative Stores Limited on par with the employee of Department of Atomic Energy (DAE) and as their regular servants and giving them the pay scales that are given to regular DAE servants in their corresponding posts with effect from 06.04.2013.

2.Admittedly, the writ petitioners are recruited and serving as employees of the Atomic Energy Employees Consumer Co-Operative Stores Limited, which is a Co-operative Society registered under the Provisions of the Tamil Nadu Co-operative Societies Act. A Co-operative Society registered under the said Act is an independent entity and the service conditions of the employees are governed by the Special by-laws of the said Society which was approved by the competent authority



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under the provisions of the Tamil Nadu Co-operative Societies Act. Therefore, society employees cannot be treated on par with the employees of the Department of Atomic Energy, which is the Central Government Organization. Thus, the very claim set out in the writ petition is misconceived and the service conditions of the petitioners are governed under the special by-laws of the Co-operative Societies which is registered under the Tamil Nadu Co-operative Societies Act, 1983 and therefore, the relief as such sought for in the present writ petition cannot be granted by this Court.

3. Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

20.10.2022

Index : Yes
Internet : Yes
Speaking order : Yes
ssr

To

1 The Chairman & Secretary
Union of India
Atomic Energy Commission & Department of Atomic Energy
Anushaki Bhavan,



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S.M.SUBRAMANIAM, J.

SSR

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