



W.P.No.23990 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.23990 of 2014
and M.P.No.1 of 2014

Kallakurichi II Co-op Sugar Mill
Labourers Progressive Sangam,
(Reg. No.107/VPM)
(Industrial Code No.15421)
Kachirapalayam, Chinnasalem Taluk,
Villupuram District - 606 207
Represented by its General Secretary
B.Venkateraman

...Petitioner

Vs

- 1.The Government of Tamilnadu,
Rep. by its Secretary to Government,
Industries (Mic-2) Department,
Secretariat, Chennai - 600 009.
- 2.The Commissioner of Sugars,
No.474, Anna Salai,
Chennai - 600 035.
- 3.The Joint Registrar,
Managing Director,
Kallakurichi II Co-op Sugar Mills Ltd.,
Kachirapalayam - 606 207,
Chinnasalem Taluk,
Villupuram District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to revise the Staff Pattern Strength on the lines of Staff Pattern in M.R.R., Subramaniaya Siva and Cheyyar Co-op Sugar Mills, consequently to regularise the service of the members of the petitioner union in their respective posts from the date of their initial appointment and absorb them in regular establishment of Kallakurichi II Co-op Sugar Mill, Labourers Progressive Sangam.

For Petitioner : Mr.J.Muthukumaran

For R1 & R2 : Mr.G.Velu,
Additional Government Pleader

For R3 : Mr.R.Bala Ramesh

ORDER

Heard Mr.J.Muthukumaran, learned counsel for the petitioner, Mr.G.Velu, learned Additional Government Pleader for the first and second respondents and Mr.R.Bala Ramesh, learned counsel for the third respondent.

2. The limited prayer sought for in the present Writ Petition is for a



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direction to the respondents to revise the Staff Pattern Strength on the lines of Staff Pattern in M.R.R., Subramaniaya Siva and Cheyyar Co-op Sugar Mills and consequently to regularize the services of the members of the petitioner union in their respective posts from the date of their initial appointment and absorb them in regular establishment of Kallakurichi II Co-op Sugar Mill, Labourers Progressive Sangam.

3. This Court is of the view that such a claim requires to be considered by the respondent department and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the petitioner is granted liberty to give a fresh representation to the respondent ventilating their grievances, with a consequential direction to the respondent to consider it within a stipulated time, the ends of justice could be secured.

4. In the light of the above observation, the petitioner is granted liberty to give a fresh representation to the first respondent herein, ventilating their grievance and on receipt of the same, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a



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period of three months from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and it is open to the concerned respondent to consider it on its own merits.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

27.10.2022

Index:Yes/No
Internet:Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

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