



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.24083 of 2021

R.Devendira Moorthy

.. Petitioner

vs.

1.The Registrar,
Cooperative Society,
K.V.Natajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk, Chennai.

2.The Deputy Registrar of Cooperatives (Debts),
2nd Floor, Kuralagam,
Broadway, Chennai-108.

3.The Sub-Registrar of Cooperatives,
2nd Floor, Kuralagam,
Braoadway, Chennai-108.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to rectify the pay anomaly of the petitioner by considering his representation dated 07.12.2019 and to fix the scale of pay in accordance with the first respondent proceedings in this regard.

For Petitioner : Mr.S.Sivakumar

For Respondents: Mrs.S.Anitha,
Special Government Pleader

O R D E R

The prayer in the Writ Petition is for a Mandamus directing the second respondent to rectify the pay anomaly of the petitioner by considering his representation dated 07.12.2019 and to fix the scale of pay in accordance with the first respondent proceedings in this regard.

2. The petitioner, entered into service as Attender on 01.04.1997 through Administrative Committee of the Chennai Port Trust shore workers, Cooperative Credit Society and by virtue of



the order passed by this Court, he is continuing in service as such. The petitioner's scale of pay has been fixed based on the proceeding of the first respondent dated 21.08.2008 and he received salary and other allowances. The present fixation of pay is lower than the pay already fixed / existing pay and it is against the scale of pay stipulated in the proceedings of the first respondent. In view of the above anomaly, the petitioner is losing a sum of Rs.3,123/- per month and aggrieved by that, he had made a representation to the respondents on 07.12.2019 and 18.12.2019 to the Chief Minister Cell and the same is now pending with the second respondent without passing any orders and therefore, the petitioner has filed the present writ petition.

3. Heard the learned counsel for the parties and perused the materials on record.

4. Considering the limited scope of prayer sought for by the petitioner, this Court, without expressing anything on merits, directs the second respondent to consider the petitioner's representation dated 07.12.2019 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

Jvm

To

1.The Registrar,
Cooperative Society,
K.V.Natajan Maligai,
No.170, EVR Periyar High Road,
Kilpauk, Chennai.

2.The Deputy Registrar of Cooperatives (Debts),
2nd Floor, Kuralagam, Broadway, Chennai-108.



3.The Sub-Registrar of Cooperatives,
2nd Floor, Kuralagam,
Braoadway, Chennai-108.

+1cc to Mr.S.Sivakumar, Advocate SR.No.21941

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PMK (CO)
GMY (05/04/2022)