



W.P.No.30704 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30704 of 2022

P.Selvaraj

... Petitioner

Vs

1. The Joint Registrar of Cooperative Societies,
Villupuram Region, Villupuram, Villupuram District.
2. The Deputy Registrar of Coop Societies,
Tirukoilur Circle, Tirukoilur, Kallakurichi District.
3. The President,
1.1.93 Chinna Salem Primary Agricultural Cooperative
Credit Society Ltd.,
Chinna Salem, Kallakurichi District.
4. The Joint Registrar of Cooperative Societies,
Kallakurichi Region, Kallakurichi
Kallakurichi District

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 4th respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 28.02.2022 within a stipulated time.



W.P.No.30704 of 2022

For petitioner ... Mr.C.Prakasam
For Respondents ... Mr.R.P.Murugan Raja
Government Advocate
For R.1, R.2 and R.4
Mr.M.Shajahan
Spl.Govt.Pleader
For R.3

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 4th respondent to pass final orders on merits on the petitioner's representation dated 28.02.2022, seeking to regularise his service as Salesman in the fourth respondent society.

2. The petitioner was earlier removed from service as Salesman as he was not recruited through employment exchange. The said removal was also challenged by this petitioner before this Court and the matter was remanded back to the respondents for fresh consideration after issuance of show cause notice to the petitioner. According to the petitioner, final orders have been passed by the respondents, under which, it has been stated that as and when a vacancy arises, the case of the petitioner for reinstatement will be considered by the respondents.



W.P.No.30704 of 2022

3. Similarly placed persons had approached this Court and filed writ petitions in WP Nos.21440 of 2015 etc., batch, wherein, this Court, by its order dated 19.02.2021 framed guidelines for regularisation of employees in Cooperative Societies. The petitioner claims that based on the order passed by this Court on 19.02.2021 in WP Nos.21440 of 2015 etc., batch, the second respondent had also issued a Circular on 24.11.2021 for regularisation of irregular appointments. The petitioner claims that as per the said Circular, he is also entitled for reinstatement as Salesman. The petitioner has given a representation on 28.02.2022 to the respondents requesting them to reinstate him as Salesman. Since the representation has not been considered till date, the petitioner has filed this writ petition.

4. Heard Mr.C.Prakasam, learned counsel for the petitioner and R.P.Murugan Raja, learned Government Advocate accepts notice on behalf of the respondents 1,2 and 4 and Mr.M.Shajahan, learned Special Government Pleader accepts notice on behalf of the third respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

5. No prejudice would be caused to the respondents if the petitioner's



W.P.No.30704 of 2022

representation dated 28.02.2022 is considered on merits and in accordance with law

within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the fourth respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 28.02.2022 requesting for reinstatement as a Salesman based on the circular dated 24.11.2021 issued by the second respondent, within a period of eight weeks from the date of receipt of a copy of this order.

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

18.11.2022

3/3

Index: Yes/ No

Speaking Order/Non-speaking Order

sr



W.P.No.30704 of 2022

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W.P.No.30704 of 2022

ABDUL QUDDHOSE ,J.,
SR

W.P.No.30704 of 2022
3/3

18.11.2022