



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.22861 of 2019

Moorthy

... Petitioner

vs.

1.The Secretary to Government
Handlooms, Khadi &
Village Industries Department
Fort St.George, Chennai-600 009

2.The Director of Handloom & Textiles
Kuralagam, Chennai

3.The Managing Director
Co-Op Tex
No.350, Pantion Road
Egmore, Chennai-600 008

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records of the 1st respondent dated 24.03.2017 in Letter No.4181/D1/2016-12, quash the same as the same is contrary to law arbitrary, ultravires and consequentially direct the 1st respondent to dispose off the review filed by the petitioner on merits.

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondents : Mr.M.Ramesh

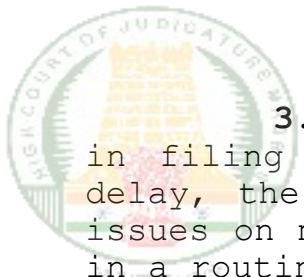
Government Advocate for R1 & R2

No appearance for R3

O R D E R

The order dated 24.03.2017, passed by the first respondent, rejecting the revision filed by the petitioner on the ground of delay of sixty days, is under challenge in this writ petition.

2. The petitioner was holding the post of Regional Manager, Co-Op Tex, Madurai. He retired from service on attaining the age of superannuation on 31.08.2014. He was promoted as Office Manager on 09.06.1997 and therefore, eligible for grant of Selection Grade. However, the said benefit was not granted to him. Therefore, the petitioner preferred a revision under Section 154 of the Tamil Nadu Cooperative Societies Act, 1983 and the revision petition was rejected by the first respondent on the ground that it was filed with a delay of sixty days.



3. This Court is of the considered opinion that the delay in filing the revision is meagre and on account of such meagre delay, the petitioner need not be deprived of adjudication of the issues on merits. Undoubtedly, enormous delay need not be condoned in a routine manner. However, such meagre delay in filing appeal or revision is to be condoned in the interest of justice and for providing an opportunity to the aggrieved person to adjudicate the issues on merits and in accordance with law. Therefore, this Court is inclined to consider the writ petition.

4. Accordingly, the writ petition is allowed. The order dated 24.03.2017, passed by the first respondent, is quashed. The first respondent is directed to entertain the revision filed by the petitioner and adjudicate the same on merits and in accordance with law by affording due opportunity to all the parties concerned and dispose of the same as expeditiously as possible. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Secretary to Government ,
Handlooms, Khadi &
Village Industries Department,
Fort St.George, Chennai-600 009.
- 2.The Director of Handloom & Textiles,
Kuralagam, Chennai.
3. The Managing Director
Co-Op Tex
No.350, Pantion Road
Egmore, Chennai-600 008

+1 CC to M/s.SPL.GP (SR-16866[F] dated 06/04/2022)

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AM(CO)
KB(22.04.2022) 2P 5C