



Writ Petition No.2495 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2495 of 2023

1.K.Palanivel

S/o.Kandasamy

2.C.Thangatamil Selvan

S/o.Chinnasamy

...Petitioners

Vs

1.The Deputy Registrar of Co-operative Societies,
Omalur Circle, Salem District.

2.The President,

K.K.238, P.N.Patty Veerakal Pudur,

Primary Agricultural Co-operative Credit Society Ltd.,

Karuppurediyur Post,

Mettur Taluk, Salem District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to consider the claim of the petitioners with regard to fixation of pay/wage settlement and pass orders within a limited time frame in the light of the representation dated 01.12.2022.

For Petitioner : Mr.G.Punniakoti

For Respondents : Mrs.Indhumathi,

Government Advocate [R1]

Mr.P.Harish

Central Government Standing Counsel [R2]



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ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 01.12.2022 wherein the petitioner has sought for fixation of his pay based on the settlement u/s.18 of the Industrial Disputes Act, 1947, that was arrived at between the Management and the workers.

2. The case of the petitioners is that they are working in the second respondent Society as Clerk and Cashier respectively. The grievance of the petitioners is that the wages have been fixed based on the agreement that was entered u/s.18 of the Industrial Disputes Act, 1947 and based on the same, the basic pay and other allowances have been revised for the co-workers. However, the petitioners, who are expecting Dearness Allowance at the rate of 381% of the basic pay, at present are getting 185% and therefore, the petitioners allege that they are being discriminated. Several representations were made in this regard and the same were not considered and the present writ petition has been filed before this Court seeking for appropriate direction.



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3. Heard Mr.G.Punniakoti, learned counsel for petitioners, Mrs.Indhumathi, learned Government Advocate, appearing for first respondent and Mr.P.Harish, learned Central Government Standing Counsel, appearing for second respondent.

4. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondents to consider the representation made by the petitioner on 01.12.2022 and deal with the same on its own merits and in accordance with law and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

03.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

gm

To

- 1.The Deputy Registrar of Co-operative Societies,
Omalur Circle, Salem District.
- 2.The President,
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