



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4032 of 2023

R.Govindaraju

Petitioner

vs.

- 1.The Principal Secretary to Government,
Co-operative, Food and Consumer Protection Department,
Secretariat, Chennai – 600 009.
- 2.The Registrar of Co-operative Societies,
EVR Road,
Kilpakkam, Chennai – 600 010.
- 3.The Joint Registrar of Co-operative Societies,
Salem Region,
IV-th Floor, Collectorate,
Salem.
- 4.The Deputy Registrar of Co-operative Societies,
Omalur Circle,
Omalur Taluk, Salem District.
- 5.The President,
S.237, Lakshmayur Primary Agricultural Co-operative
Credit Society Ltd.,
Duttampatty Post,
Omlaur Taluk,
Salem District

Respondents



issuance of a Writ of Mandamus, directing the 1st respondent to requesting to grant the regular absorption of the petitioner into service on par with other similarly placed persons with consequential seniority and promotion to the higher post based on eligibility, with all consequential and attendant benefits based on the petitioner's representation dated 23.12.2022.

For Petitioner : Mr.G.Punniakoti

For Respondents : Mrs.M.Jayanthi
Additional Government Pleader
for R1 to R4

Mr.R.Kumaravel for R5

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to grant the regular absorption of the petitioner into service on par with the similarly placed persons with other consequential benefits, based on the representation made by the petitioner on 23.12.2022.

2.Heard Mr.G.Punniakoti, learned counsel appearing on behalf of the petitioner, Mrs.M.Jayanthi, learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 and Mr.R.Kumaravel, learned Additional Government Pleader appearing on behalf of the 5th respondent.



3.The case of the petitioner is that he was appointed as a Night Watchman by the 5th respondent Society in the year 1991. On 17.06.1992, the 5th respondent Society also passed a resolution by granting consolidated pay to the petitioner. Thereafter, the petitioner was promoted as Attender in the year 2013.

4.The grievance of the petitioner is that already a proposal was put forth before the Deputy Registrar of Omalur for regularization of the services of the petitioner and for brining him under the regular time scale of pay. For this purpose, the learned counsel for the petitioner relied upon the proceedings of the Deputy Registrar dated 12.09.2022, that was addressed to the 5th respondent.

5.The learned Additional Government Pleader appearing on behalf of respondents 1 to 4 submitted that ultimately, the proposal must be placed before the 1st respondent and a decision will be taken on the request made by the petitioner.

6.The learned counsel for the petitioner submitted that similarly placed persons have already been given the relief and one other person had approached



this Court earlier by filing a writ petition in W.P.No.34182 of 2022 and orders were passed by this Court on 21.12.2022 by issuing appropriate directions. The learned counsel submitted that the petitioner is also entitled for being considered for regular absorption into service as was done to similarly placed persons.

7.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 respondents to consider the representation made by the petitioner on 23.12.2022 and deal with the same on its own merits and in accordance with law and on par with the treatment that was given to the similarly placed persons and a final decision shall be taken, within a period of twelve weeks from the date of receipt of copy of this order.

8.This writ petition is disposed of in the above terms. No Costs.

13.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



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- To
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N. ANAND VENKATESH, J.

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