



W.P. No. 6976 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 6976 of 2023

A.Prabakaran

... Petitioner

-VS-

1. The Secretary to Government,
Government Coop. Food and Consumer
Protection Department,
Fort St. George, Chennai – 600 009.
 2. The Registrar of Co-operative Societies,
N.V.N. Maligai, E.V.R. Salai,
Kilpauk, Chennai – 600 010.
 3. The Joint Registrar of Co-operative Societies,
Room No. 303, District Collector Office Campus,
Nagapattinam – 611 003.
 4. The Deputy Registrar of Co-operative Societies,
Melakottaivasal, Nagapattinam – 611 003.
 5. The Secretary,
Sikkal 10707 Primary Agricultural
Co-operative Credit Society Ltd.,
Sikkal, Nagapattinam – 611 108.
 6. The Director,
National Commission for Scheduled Caste,
Shashthri Bhavan, Block No. V.2nd Floor,
#26, Haddows Road, Nungambakkam,
Chennai – 600 006.
- ... Respondents
- [Writ Petition dismissed as against R6 vide order dated 09.03.2023
made in W.P. No. 6976 of 2023]



W.P. No. 6976 of 2023

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to consider the representation dated 16.09.2022 for the promotion with consequential seniority and all the service and monetary benefits.

For Petitioner : Ms. S.Aparna

For Respondents : Mrs. R.Anitha,
Special Government Pleader
(for R1 to R4)

Mr. B.Vijay,
Additional Government Pleader (for R5)

ORDER

Heard Ms. S.Aparna, Learned Counsel for the Petitioner, Mrs. R.Anitha, Learned Special Government Pleader appearing for the First to Fourth Respondents and Mr. B.Vijay, Learned Additional Government Pleader appearing for the Fifth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 16.09.2022 to the Third Respondent to promote him with consequential seniority and monetary benefits, but as it did not evoke any response, he has filed this Writ Petition.



W.P. No. 6976 of 2023

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of the controversy, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 16.09.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and



W.P. No. 6976 of 2023

(vi) the report of such compliance shall be filed before the Registrar

WEB COPY (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

13.04.2023

1/3

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary to Government,
Government Coop. Food and Consumer
Protection Department,
Fort St. George, Chennai – 600 009.
2. The Registrar of Co-operative Societies,
N.V.N. Maligai, E.V.R. Salai,
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W.P. No. 6976 of 2023

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai.



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P.D. AUDIKESAVALU, J.

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W.P. No. 6976 of 2023

13.04.2023

1/3