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W.P. No. 12643 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

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

W.P. No. 12643 of 2023

Mr. A.Azhagiri

... Petitioner

-VS-

1. The Secretary to Government Co-operative
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.

... Respondents



W.P. No. 12643 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 and enquire the representation dated 16.06.2022 given for the Promotion with consequential seniority and all other service and monetary benefits.

For Petitioner : Ms. S.Aparna

For Respondents : Mr. N.Naveenkumar,
Government Advocate (for R1 to R4)

Mr. M.Shajahan,
Special Government Pleader (for R5)

ORDER

Heard Ms. S.Aparna, Learned Counsel for the Petitioner, Mr. N.Naveenkumar, Learned Government Advocate, who takes notice for the First to Fourth Respondents and Mr. M.Shajahan, Learned Special Government Pleader, who takes notice 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 16.06.2022 to the Third Respondent to promote him with consequential seniority and other service and monetary benefits, but as it did not evoke any response, he has filed this Writ Petition.



W.P. No. 12643 of 2023

WEB COPY

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 controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 16.06.2022 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;



W.P. No. 12643 of 2023

(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

(vi) the report of such compliance shall be filed before the Registrar
(Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

25.04.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary to Government Co-operative
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. 12643 of 2023

4. The Deputy Registrar of Co-operative Societies,
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5. The Secretary,
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Copy to

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



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W.P. No. 12643 of 2023

P.D. AUDIKESAVALU, J.

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W.P. No. 12643 of 2023

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