



W.P.No.19216 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19216 of 2023

D.Velmurugan

...Petitioner

Vs

1. The Additional Registrar of Co-operative Societies/
Managing Director,
Tamil Nadu Co-operative Union,
Kilpauk, Chennai – 600 010.
2. The Joint Registrar of Co-operative Societies,
Cuddalore Region, No.3, Beach Road,
Cuddalore, Cuddalore District.
3. The Principal,
F.C.2863, Dr.M.G.R. Institution of
Co-operative Management,
No.3, Beach Road,
Cuddalore – 1.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, directing the respondents to permit the petitioner to continue in service in the third respondent Institution as Office Assistant.



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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.V.Sajeev Kumar
Special Government Pleader [R1]

Mr.VPR.Elamparathi
Additional Government Pleader [R2]

ORDER

The prayer sought for in this Writ Petition is to direct the respondents to permit the petitioner to continue in service in the third respondent Institution as Office Assistant.

2.The learned counsel for the petitioner submitted that the petitioner had submitted a representation on 02.02.2023, seeking for regularization. Since the said representation was not considered, the present writ petition has been filed.

3. In view of the order to be passed in this Writ Petition, no prejudice would be caused to the third respondent herein and hence, notice to the said private respondent is dispensed with.



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4.This Court is of the view that such a claim requires to be considered by the respondents and this Court may not justified in stepping into the shoes of the respondents for considering the same. Nevertheless, if the petitioner is granted liberty to make a fresh representation ventilating her grievances with a consequential direction to the respondents to consider the same within a stipulated time, the ends of justice could be secured.

5.In the light of the above observations, the petitioner is granted liberty to make a fresh representation to the first respondent seeking for regularization and on receipt of the same, the first respondent is directed to consider it on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of the said representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

mp

6.With the above direction, the Writ Petition stands disposed of.

No costs.

06.11.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

mp

To

1. The Additional Registrar of Co-operative Societies/
Managing Director,
Tamil Nadu Co-operative Union,
Kilpauk, Chennai – 600 010.
2. The Joint Registrar of Co-operative Societies,
Cuddalore Region, No.3, Beach Road,
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