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W.P.Nos.17858 & 17861 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.17858 & 17861 of 2020 and
W.M.P.Nos.3446 & 2163 of 2022

K.Gopalakrishnan ... Petitioner in W.P.No.17858 of 2020
A.Sivakasi ... Petitioner in W.P.No.17861 of 2020
Vs.

- 1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Department of Co-operation, Food and Consumer Protection,
Fort St. George, Chennai 9.
- 2.The Registrar of Co-operative Societies,
170, E.V.R. Periyar High Road,
Kilpauk, Chennai 10.
- 3.The Deputy Registrar of Co-operative Societies (Credit)
Kuralagam 2nd Floor, Chennai 600 108.
- 4.The Additional Registrar (Finance and banking)
Registrar Office for Co-operative Societies,
No.170, NV Natarajan Maaligai, Periyar EVR High Road,
Poonamallee High road, Kilpauk, Chennai 600 010.
- 5.The President,
Madras University Teachers' Co-operative
Thrift and Credit Society, (Reg. No.XC-163),
Chepauk, Chennai 600 005. ... Respondents in both W.Ps.



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Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent herein to consider the representations of the petitioners dated 18.03.2020 and consequently, direct the respondents to revise the scale of pay of the petitioners at Rs.4000 – 100 – 6000 from 01.01.1996 notionally with all the consequential benefits on the basis of the G.O.Ms.No.89 dated 16.05.2000 and the first respondent's Letter No.21277/Sippi2/2014-20 dated 20.10.2017 and the second respondent's Na.Ka.13880/2014 VaAa1 dated 10.10.2017.

In both W.Ps

For Petitioners : Mr.A.Balaguru
For Respondents : Mr.P.Sanjai Gandhi
Government Advocate

COMMON ORDER

These Writ Petitions have been filed seeking issuance of a Writ of Mandamus, to direct the third respondent herein to consider the representations of the petitioners dated 18.03.2020 and consequently, direct the respondents to revise the scale of pay of the petitioners at Rs.4000 – 100 – 6000 from 01.01.1996 notionally with all the consequential benefits on the basis of the G.O.Ms.No.89 dated 16.05.2000 and the first respondent's Letter No.21277/Sippi2/2014-20



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dated 20.10.2017 and the second respondent's Na.Ka.13880/2014 VaAa1 dated 10.10.2017.

2. Heard Mr.A.Balaguru, learned counsel for the petitioners and Mr.P.Sanjai Gandhi, learned Government Advocate for the respondents.

3. The petitioners were working as Assistants in the Madras University Teachers Co-operative Thrift and Credit Society, Chennai from 05.12.1988 and 20.05.1987 respectively. The Tamil Nadu Government has passed G.O.Ms.No.89, Co-operation, Food and Consumer Protection Department dated 16.05.2000, revising the scale of pay of the employees of the Co-operative Societies in the State of Tamil Nadu. Pursuant to the above G.O., the petitioners scale of pay was fixed as 4000-100-6000 with effect from 01.08.2008. However, the revision of pay scale was not given retrospectively with effect from 01.01.1996 as per the G.O., but, it was given only with effect from 2008. Thereafter as per the proceedings of the second respondent dated 08.11.2018, new pay revision was allowed to the petitioners based on the new pay commission



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recommendation. Even though the first and second respondents have extended the benefit of the above said Government Order and revised the petitioner's scale of pay as Rs.42,300/-, the third respondent on wrong presumption, had fixed the petitioner's scale of pay as Rs.25,600/-. Aggrieved over the same, the petitioners sent a representation to the third respondent seeking to revise their scale of pay as per the above Government Order. Since no action is forthcoming, the petitioners are before this Court with the above prayer.

4. The learned Government Advocate appearing for the respondents submitted that the petitioners' representation will be considered by the third respondent within the time frame as may be fixed by this Court.

5. In view of the above circumstances, these Writ Petitions are disposed and the third respondent is directed to consider the representation of the petitioners dated 18.03.2020 and pass appropriate orders in accordance with law, within a period of eight weeks from the



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date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

07.12.2023

Index : Yes

Internet : Yes/No

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To

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Department of Co-operation, Food and Consumer Protection,
Fort St. George, Chennai 9.
- 2.The Registrar of Co-operative Societies,
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