



WEB COPY



W.P.No.34797 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06..07..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.34797 of 2022

J.Arun

..... Petitioner

-Versus-

- 1.The District Collector,
O/o District Collector,
Salem 636 001.
- 2.The Managing Director,
The Salem Silk Handloom Weavers'
Co-operative Production and Sale Society Ltd., 1277,
No.83/34, 2nd Agragaram,
Salem 636 001.
- 3.The Assistant Director (In-charge),
Handloom Department,
District Collector Office Campus,
Room No.408, Salem 636 001.
- 4.The President,
The Salem Silk Handloom Weavers'
Co-operative Production and Sale Society Ltd., 1277,
No.83/34, 2nd Agragaram,
Salem 636 001.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to
issue a Writ of Mandamus directing the respondents to consider the petitioner's



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representation dated 18.10.2022 to take necessary steps to continue the service of the petitioner in the association.

For Petitioner : Mr.D.Ashok Kumar

*For Respondents : Mr.P.Baladhandayutham,
Spl. Government Pleader
for RR1 and 3
Mr.R.Siddharth for RR 2 & 4*

ORDER

This writ petition has been filed seeking a writ in the nature of mandamus directing the respondents to consider the representation of the petitioner dated 18.10.2022 to take necessary steps to continue the service of the petitioner in the respondent society.

2. It is the case of the petitioner that he originally joined the service of the respondent society on 28.04.2021 as a Clerk on daily wage basis. He was working there with utmost satisfaction to the officers of the 4th respondent office. In the Administrative Committee Meeting that was held on 16.08.2022, 14 persons including the petitioner were brought under the consolidated pay from daily wages. However, on account of casteism, he was prevented from discharging his duty and was not allowed even to enter into the office.

3. The learned counsel for the petitioner submitted that subsequent to the filing of the writ petition, the petitioner has again joined the service of the



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society as a Clerk on daily wages.

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4. The learned counsel for the respondents 2 and 4 would submit that the petitioner was given employment as Clerk on daily wage basis and he is still continuing in service. He has also produced a copy of the letter from the 4th respondent society in this regard.

5. The request of the petitioner that he should be brought under consolidated pay cannot be acceded to for the simple reason that he was taken on daily wages by resolution of the 4th respondent and he is still continuing in service. In such view of the matter, this court cannot issue a direction as prayed for in the writ petition. This court however directs that arrears of wages, if any, payable to the petitioner as per rules shall be disbursed by the respondents forthwith. No costs.

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Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk



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