



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.09.2023**

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)NO.1927 OF 2019

and

W.M.P(MD)No.1586 of 2019

D.Saravanan

:Petitioner

.VS.

- 1.The Secretary to Government of Tamil Nadu,
Department of Cooperative Food and Consumer Department,
Secretariat,
Chennai.
 - 2.The Registrar of Cooperative Societies,
EVR Salai,
Kilpauk,
Chennai.
 - 3.The Regional Joint Registrar of Cooperative Societies,
Medical College Road,
Thanjavur.
 - 4.The Deputy Registrar of Cooperative Societies,
Medical College Road,
Thanjavur.
 - 5.The Special Officer,
Thanjavur Cooperative Wholesales Stores Limited,
Thanjavur.
- : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to regularize the services of the Petitioner as Packer in



the fifth respondent's Society.

WEB COPY

For Petitioner :Mr.P.Ganapathi Subramanian

For Respondents :Mr.J.K.Jeyaseelan
Govt.Advocate

ORDER

This Writ Petition is filed to direct respondents to regularize the services of the Petitioner as Packer in the fifth respondent's Society.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner was appointed as Packer in the fifth respondent society on daily wage basis and continuing as such till date from the year 1998. The Petitioner, therefore, has filed this Writ Petition for the relief stated supra.

4.It is to be seen that the services to which the Petitioner seeks regularization is the service of the Co-operative Society and as such, the Petitioner has an effective alternative remedy to file a



revision before the third respondent herein under Section 153 of the Tamil Nadu Cooperative Societies Act.

5. Accordingly, preserving such liberty to the Petitioner to file a revision before the third respondent and also to move for such interim reliefs, as may be necessary, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

6. The learned counsel for the Petitioner expresses his apprehension that merely because this Writ Petition is dismissed, the Petitioner, who has been working from the year 1998 would be suddenly be dispensed with from service. From the counter affidavit, I do not see any such proposal which is made by the respondents. In any event, as observed above, the Petitioner will be entitled to seek interim protection also from the third respondent, pending revision.

15.09.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No

vsn



To

WEB COPY

1. The Secretary to Government of Tamil Nadu,
Department of Cooperative Food and Consumer Department,
Secretariat,
Chennai.
2. The Registrar of Cooperative Societies,
EVR Salai,
Kilpauk,
Chennai.
3. The Regional Joint Registrar of Cooperative Societies,
Medical College Road,
Thanjavur.
4. The Deputy Registrar of Cooperative Societies,
Medical College Road,
Thanjavur.
5. The Special Officer,
Thanjavur Cooperative Wholesales Stores Limited,
Thanjavur.



WEB COPY



D.BHARATHA CHAKRAVARTHY,J.

vsn

ORDER MADE IN
W.P(MD)NO.1927 OF 2019
and
W.M.P(MD)No.1586 of 2019

15.09.2023