



W.P.No.33768 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.33768 of 2024 and
W.M.P.Nos.36579, 36581 and 36585 of 2024

1. V.Arumugam
2. P.Beema Rao Ambethkar
Versus
... Petitioners

1. The Managing Director,
Pondicherry Co-op Milk Producers'
Union Ltd., Kurumampet,
Puducherry

2. The Registrar of Co-operative
Societies, Puducherry

3. Thunaivendan
4. Vijayakumar
5. J.Kalaiyaperumal
6. Suriya
7. M.Mathan
8. Saranya
9. Radjespary

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent with No.Ponlait/Estt/Cadres Strength/695/2016-17 dated 28.09.2018 and to quash the same in



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respect of promotion of respondents 3 to 9 and consequently to direct the 1st respondent to promote the petitioner to the post of Junior Assistant with effect from the date on which the respondents 3 to 9 were promoted with all other consequential benefits including difference of wages, seniority etc.,

For Petitioner : Mr. V.Ajayakumar

For Respondents : Mr.R.Sreedhar for R1
Mr.A.Tamilvanan for R2
Additional Government pleader
R3 to R9 – Not ready in notice.

ORDER

This petition is filed for an issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent with No.Ponlait/Estt/Cadres Strength/695/2016-17 dated 28.09.2018 and to quash the same in respect of promotion of respondents 3 to 9 and consequently to direct the 1st respondent to promote the petitioner to the post of Junior Assistant with effect from the date on which the respondents 3 to 9 were promoted with all other consequential benefits including difference of wages, seniority etc.,



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2. Heard the learned counsel for the petitioners and the learned counsel for 1st respondent and the Additional Government Pleader for 2nd respondent.

3.The case of the petitioners is that they joined the service in the 1st respondent society during the year 2006 on daily wage basis. Their services were regularized during the year 2011 and they were placed in the regular pay scale. The grievance of the petitioners is that the respondents 3 to 8 were junior to the petitioners and whereas their names were considered for promotion to the post of Junior Assistant in the year 2018. The same has been put to challenge in the present Writ Petition.

4. The learned counsel for the petitioners submitted that the similar issue has already been dealt with by this Court in W.P.No.22743 of 2024 etc., batch on 08.08.2024 and the same order shall be passed in this petition also.

5.In the considered view of this Court, the proceedings of the year



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2018 has been challenged in the year 2024. Therefore, there is substantial delay and such relief sought for is hit by latches. However, considering the grievance of the petitioners, there shall be a direction to the 1st respondent to consider the representations made by the petitioners and to deal with the same on its own merits and in accordance with law and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.The petitioners are directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.

7.Accordingly, these Writ Petitions are disposed of with the above directions. Consequently, the connected Miscellaneous Petitions are closed. No costs.

27.11.2024

Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd



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To

1. The Managing Director,
Pondicherry Co-op Milk Producers'
Union Ltd., Kurumampet,
Puducherry
2. The Registrar of Co-operative
Societies, Puducherry



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V.BHAVANI SUBBAROYAN, J.

ssd

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