



W.P.(MD).No.7223 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7223 of 2024

A.Sakthiraja

... Petitioner

Vs

1. The Registrar of Co-Operative Society,
No.170, EVR Periyar Road,
Kilpauk, Chennai.
2. The Joint Registrar of Co-Operative Society,
Theni District.
3. The Special Officer/Secretary,
(M.D.S.P.L-52) Primary Agricultural Co-operative Society,
Malachokkanatha Puram, Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to reinstate the petitioner as a Clerk in the Society by considering his representation, revision / appeal, dated 05.02.2024 within the period that may be stipulated by this Court.

For Petitioner : Mr. B. Janarth Kumar

For Respondents : Mr.C.Baskaran
Government Advocate



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ORDER

The present writ petition has been filed seeking a direction to the 1st respondent to reinstate the petitioner as a Clerk in the Society by considering his representation, revision / appeal, dated 05.02.2024 within the period that may be stipulated by this Court.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Perused the materials on record.

4.(i).The petitioner's father, one Anand passed away while in service of the third respondent Society. Hence, seeking appointment on compassionate grounds for the petitioner, his mother filed a petition in W.P(MD) No.704 of 2013 and this Court vide order, dated 11.01.2013 directed the respondents to consider the representation filed by the petitioner's mother



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and pass appropriate orders. Pursuant to the same, the respondents appointed the petitioner in the year, 2013.

(ii).Subsequently, the petitioner's mother was affected by HIV disease, he was unable to continue his service, he tendered his resignation on 13.11.2016. As of now, the petitioner's sister is taking care of his mother. Now, that the third respondent is appointing Clerk and other employees, seeking reinstatement in the third respondent Society the petitioner made representation before the third respondent. However, the same was negatived vide order, dated 26.10.2023 by the second respondent. Therefore, the petitioner preferred an appeal before the first respondent, dated 05.02.2024 and the same is pending without any consideration. Hence, this writ petition came to be filed.

5.Considering the relief sought for by the petitioner, without going into merits of the case, this Court hereby directs the respondents to consider the appeal of the petitioner, dated 05.02.2024 and pass appropriate orders in accordance with law within a period of twelve (12) weeks thereafter.



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6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

25.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Registrar of Co-Operative Society,
No.170, EVR Periyar Road,
Kilpauk, Chennai.
2. The Joint Registrar of Co-Operative Society,
Theni District.
3. The Special Officer/Secretary,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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