



W.P.(MD)No.8026 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.8026 of 2024 &
W.M.P.(MD)No.7282 of 2024

Rajendran

... Petitioner

VS.

- 1.The Principal Secretary to Government of Tamil Nadu,
Department of Cooperative, Food and Consumer Welfare,
Secretariat, Chennai 600 010.
- 2.The Registrar of Cooperative Societies,
No.170, EVR Periyar High Road,
Kilpauk, Chennai 600 010.
- 3.The Director of Cooperative Audit,
Anna Salai, Integrated Finance Department Office Complex,
Nandanam, Chennai 600 035.
- 4.The Regional Joint Registrar of Cooperative Societies,
Conutives Cooperative Societies Offices buildings,
Annavasal Road, Pudukkottai.
- 5.The Assistant Director of Cooperative Audit,
Pudukkottai.
- 6.The Deputy Registrar of Cooperative Societies,
Pudukkottai.



W.P.(MD)No.8026 of 2024

WEB COPY

7. The Secretary, M.M 375 Mullur Primary Agri
Cooperative Credit Society Limited,
Nehru Nagar, Machuvadi,
Industrial Estate, Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the seventh respondent to extend the benefit of G.O.(Ms)No.25 Cooperative Food, Consumer Protection (CA2) Department, dated 04.03.2020 and grant 3% increment of pay to the petitioner.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Ramesh,
Government Advocate

ORDER

Heard Mr.P.Ganapathi Subramanian, learned counsel for the petitioner and Mr.M.Ramesh, learned Government Advocate for the respondents.

2. The petitioner has filed this writ petition seeking direction to the seventh respondent to extend the benefit of G.O.(Ms)No.25 Cooperative Food, Consumer Protection (CA2) Department, dated



W.P.(MD)No.8026 of 2024

04.03.2020 and grant 3% increment of pay to him.

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3. The learned counsel for the petitioner submitted that the petitioners are entitled to special and selection grade pay on completion of 10/20 years of service respectively. It is further submitted that the second respondent has issued a circular in Na.Ka.No.55357/2018/Po.Vi.Dhi.Mu2(3), dated 04.08.2020 and directed the Joint Deputy Registrar of Cooperative Societies to extend the benefit of G.O.(Ms)No. 25 Cooperative Food, Consumer Protection (CA2) Department, dated 04.03.2020 to the employees Cooperative Societies. However, the seventh respondent has not extended the said benefit to the petitioner. Now the petitioner apprehend that the respondents have taken steps to recover the amount on the premise that the petitioner has been given with excess payment without considering his entitlement for special grade and selection grade pay.

4. If the petitioner is entitled to the benefit of G.O.(Ms)No.25 Cooperative Food, Consumer Protection (CA2) Department, dated



W.P.(MD)No.8026 of 2024

WEB COPY

04.03.2020 and if the same is not extended to him, the respondents are bound to consider the entitlement of the petitioner and pass appropriate orders. Since the writ petition is only a writ of mandamus and the petitioner has not challenged any orders passed, the seventh respondent is directed to pass appropriate orders in this regard on its own merits and in accordance with law.

5. Accordingly, the writ petition is allowed. No costs.
Consequently, the connected Miscellaneous Petition is closed.

02.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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To

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W.P.(MD)No.8026 of 2024

WEB COPY

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W.P.(MD)No.8026 of 2024

R.N.MANJULA, J.

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W.P.(MD)No.8026 of 2024

02.04.2024