



W.P.(MD)No.16090 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.16090 of 2021

and

W.M.P.(MD)No.12949 of 2021

P.Mercy Jebamalar

... Petitioner

/Vs./

- 1.The Commissioner of Labour,
E.V.R.Salai, Kilpauk,
Chennai-600006.
- 2.The Deputy Commissioner of Labour (Settlement),
Nagercoil, Kanyakumari District.
- 3.The Assistant Commissioner Of Labour (Settlement),
Nagercoil, Kanyakumari District.
- 4.The Registrar of Co-Operative Societies,
Chennai-600010.
- 5.The Joint Registrar,
Cooperative Societies,
Kanyakumari Division,
Nagercoil, Kanyakumari District.



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6.The Deputy Registrar of Co-operative Societies,
Thuckalay Division, Palace Road,
Thuckalay, Kanyakumari District.

7.The Deputy Registrar,
Office of Joint Registrar PDS,
Nagercoil, Kanyakumari District.

8.Y.25 Manakkavilai Primary Agriculture,
Co-Operative Credit Society,
Rep. by the Special Officer,
Manakkavilai,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of MANDAMUS directing the 4th respondent to regularize the petitioner in the post of Salesman in the Ration shop run by the 8th respondent society and grant salary to the petitioner from 01.05.2018 and consequently to instruct the 8th respondent society not to terminate the petitioner from the post of Salesman pending disposal of the conciliation petition pending before the 2nd respondent.

For Petitioner : Ms.J.Anandhavalli

For Respondents : Mr.G.Suriya Ananth

Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of writ of mandamus, seeking for a direction to the fourth respondent to regularize the petitioner in the post of sales-woman in the ration shop run by the 8th respondent society and grant salary to the petitioner from 01.05.2018 and consequently to instruct the 8th respondent society not to terminate the petitioner from the post of sales-woman

2. Heard Ms.J.Anandhavalli, learned counsel appearing for the petitioner and Mr.G.Suriya Ananth, learned Additional Government Pleader appearing for the respondents.

3. Even though a positive direction is sought for in this writ petition, the learned counsel appearing for the petitioner would submit that it would suffice if the representation of the petitioner seeking for the relief sought for as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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4. The petitioner claims that she has been working as sales-woman in the eighth respondent society since 01.05.2018. According to her, her services have not been regularized till date. Under those circumstances, she has given a representation on 22.07.2021 to the respondents seeking for her regularization and for her salary from May 2018 onwards. Since the representation has not been considered, she has filed this writ petition.

5. No prejudice will be caused to the respondents, if the representation of the petitioner as stated supra is considered on merits and in accordance with law, by the fourth respondent within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the fourth respondent to pass final orders on the petitioner's representation dated 22.07.2021, seeking for regularization of her services in the post of sales-woman and for her salary from May 2018 onwards, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court is not



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expressing any opinion with regard to the merits and demerits of the petitioner's representation, in this writ petition.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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Order made in
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Dated:
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