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W.P.No.3537 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM :

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.3537 of 2025

and

WMP.Nos.3917 and 3918 of 2025

M.Palanisamy

...Petitioner

Vs.

1. The Registrar of Cooperative Societies,
Kilpauk,
Chennai – 600 010.
 2. The Joint Registrar of Cooperative Societies,
Erode Region, Erode – 638 001.
 3. The Deputy Registrar of Cooperative Societies,
Gobi Circle, Gobi.
 4. The Administrator,
K 531, Maranur Primary Agriculture,
Cooperative Credit Society Ltd.,
Maranur, Shenbagapudur (P.O),
Sathyamangalam – 638402.
 5. The Inspector of Labour,
Authorized Officer under
Tamil Nadu Industrial Establishment (Conferment of Permanent Status to
Workman) Act 1981, Erode
- ...Respondents



W.P.No.3537 of 2025

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to regularize the services of petitioner herein and extend further promotional avenues in terms of orders made in Na.Ka.No.1279/2017 dated 21.06.2017 on file of 5th respondent and this Court dated 19.02.2021 made in batches of writ petitions Nos.21440, 21441, 21442/2015 etc., by considering the petitioners latest representation dated 13.01.2025.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents : Mr.M.Muthusamy GA for R1 to R4
Mr.K.Surendran, AGP for R5

ORDER

The petitioner has filed this Writ petition seeking to direct the respondents to regularize the services of petitioner herein and extend further promotional avenues in terms of orders made in Na.Ka.No.1279/2017 dated 21.06.2017 on file of 5th respondent and this Court dated 19.02.2021 made in batches of writ petitions Nos.21440, 21441, 21442/2015 etc., by considering the petitioners latest representation dated 13.01.2025.

2. Mr.M.Muthusamy, learned Government Advocate takes notice on behalf of the respondents 1 to 4. Mr.K.Surendran, learned Additional Government Pleader accepts notice on behalf of the fifth respondent. In view



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of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner was appointed as a salesman in the fourth respondent Society on 14.07.2000. He rendered 24 years of unblemished service to the fourth respondent Society. A Government Order came to be passed in GO (MS) No.86 dated 12.03.2001, by the Cooperation, Food and Consumer Protection Department through which the Registrar of Cooperative Societies was vested with the power to regularize the services of those employees who have been appointed after 08.07.1980, by way of irregular appointment, by means other than through an employment exchange provided, they have completed 480 days of continuous service within a period of two calendar years as provided under Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. The validity of the said Government Order came to be challenged before the Division Bench of this Court and this Court has upheld the Government Order and directed that regularization of services of these employees appointed after 08.07.1980 and before 12.03.2001 be done based on and subject to the findings and directions given thereto. Subsequently, the



above judgment of this Court was taken on an appeal by way of a Special Leave Petition, wherein the Supreme Court while dismissing the appeals, reversed some of the findings of this Court. On 02.11.2006, the Department issued Government Letter No.223221/CGI/2005/7, CF & CP delegating the powers vested in the Registrar of Cooperative Societies through GO(MS) No.86 dated 12.03.2001, to the Regional Joint Registrars.

4. Since some of the employees were unable to get regularization, the other similar employees have moved the writ petitions in W.P.Nos21440, 21441 and 21442 of 2015 etc., wherein this Court vide order dated 19.02.2021 disposed the said writ petitions with a direction to the Registrar of Cooperative Societies. Subsequently, the fifth respondent passed an order of regularization in favour of the petitioner vide order dated 21.06.2017. Seeking to regularize the services of the petitioner and extend further promotional avenues in terms of the order passed by the fifth respondent dated 21.06.2017 and the order passed by this Court dated 19.02.2021, the petitioner made a representation dated 13.01.2025 before the respondents. However, the same was not considered. Hence, the present writ petition has been filed.

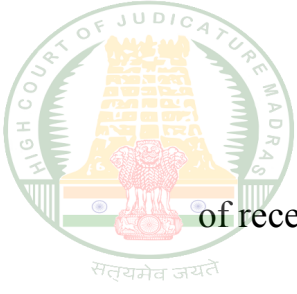


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5. Though very many grounds have been raised in the present writ petition, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the fourth respondent to implement the order passed by the fifth respondent dated 21.06.2017 by considering the representation of the petitioner dated 13.01.2025 and pass appropriate orders within the time frame that may be stipulated by this Court.

6. On the above said contentions, heard learned Government Advocate appearing on behalf of the respondents 1 to 4 and the learned Additional Government Pleader appearing on behalf of the fifth respondent and perused the materials available on record.

7. In view of the limited request made by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the fourth respondent to implement the order passed by the fifth respondent dated 21.06.2017 by considering the representation of the petitioner dated 13.01.2025 and pass appropriate orders on merits and in accordance with law and after affording an opportunity of personal hearing to the petitioner as well as the aggrieved persons if any, within a period of six (6) weeks from the date



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of receipt of a copy of this order.

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8. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous petitions are closed.

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NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

To:

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Chennai – 600 010.
2. The Joint Registrar of Cooperative Societies,
Erode Region, Erode – 638 001.
3. The Deputy Registrar of Cooperative Societies,
Gobi Circle, Gobi.

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4. The Administrator,
K 531, Maranur Primary Agriculture,
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