



W.P.(MD)No.9905 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.9905 of 2021
and
W.M.P(MD)No.7602 of 2021 and
W.M.P(MD)Nos.18709 & 22606 of 2022 and

M.Maheswari

... Petitioner

Vs.

1. The Assistant Commissioner of Labour
Authority under the Industrial Establishment,
(conferment of Permanent Status),
Workmen's Act,
Dindigul.

2. DD 540 Kottanatham Primary Agricultural,
Cooperative Credit Society,
Rep., through the President,
Kottanatham,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct 2nd respondent to enforce the order of the 1st respondent passed in ப.நிச.வ.எண்.01/2018 (ந.க.எண்.இ/310/2018) dated 22.02.2018.



W.P.(MD)No.9905 of 2021

WEB COPY

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For R1 : M/s.D.Farjana Ghoushia
Special Government Pleader
For R2 : Mr.R.Saravanan

ORDER

The present writ petition has been filed by the Jewel Appraiser/Clerk working in the 2nd respondent society seeking a mandamus as against his employer for implementing the orders passed by the 1st respondent herein, wherein a direction has been issued to confer permanent status upon him.

2. The learned counsel appearing for the petitioner brought to the notice of the Court that the 2nd respondent society has challenged the order of conferment of permanent status by filing W.P.(MD)No.14586 of 2018. The said writ petition was “dismissed as withdrawn” on 20.10.2021.

3. In such circumstances, there cannot be any impediment for implementing the said order.



W.P.(MD)No.9905 of 2021

WEB COPY

4. The learned counsel appearing for the petitioner further submits that the order of the 1st respondent herein has already been implemented and the Board has approved the regularization of the services of the writ petitioner with effect from 03.03.2018. A time scale has been fixed and the petitioner has also received the time scale.

5. Two impleading applications have been filed in the present writ petition by the Joint Registrar of Cooperative Societies and the Deputy Registrar of Cooperative Societies seeking to implead themselves in the present writ petition.

6. The averment in the impleading applications reveal that due to collusion between the petitioner and the erstwhile Board of the society, the orders of the 1st respondent have been implemented and the writ petition has been withdrawn. Therefore, they want to get themselves impleaded in the present writ petition.



W.P.(MD)No.9905 of 2021

WEB COPY

7. Considering the fact that so far, the Board Resolution has not been cancelled and W.P.(MD)No.14586 of 2018 has not been restored, this Court is not inclined to entertain the impleading applications in the present writ petition.

8. That apart, the services of the petitioner have already been regularized by the Board resolutions and approved by the General body. In case, if the Joint Registrar of Cooperative Societies and the Deputy Registrar of Cooperative Societies are aggrieved over the order of conferment of Permanent Status of the 1st respondent, it is open to them to challenge the same in the manner known to law.

9. With the above deliberations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

12.06.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



W.P.(MD)No.9905 of 2021

WEB COPY

To

1. The Assistant Commissioner of Labour
Authority under the Industrial Establishment,
(conferment of Permanent Status),
Workmen's Act,
Dindigul.
2. DD 540 Kottanatham Primary Agricultural,
Cooperative Credit Society,
Rep., through the President,
Kottanatham,
Dindigul District.



WEB COPY



W.P.(MD)No.9905 of 2021

R.VIJAYAKUMAR, J.

rgm

W.P.(MD).No.9905 of 2021
and
W.M.P(MD)No.7602 of 2021 and
W.M.P(MD)Nos.18709 & 22606 of 2022 and

12.06.2025