



W.P.(MD)No.13120 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

W.P.(MD) No.13120 of 2021

and

W.M.P.(MD) No.10141 of 2021

P.Lakshmanan,
71-A, East Car Street,
Pattamangalam Post,
Sivagangai District.

... Petitioner

vs.

1.The Deputy Registrar,
Office of the Deputy Registrar of
Cooperative Societies,
Opposite to Women's College,
Sivagangai Post and District.

2.K.A.Gurusekar C.S.R./Administrator,
R.S.763, Sivagangai Thiruppuvanam
Panchayat Union Teachers and Employees Cooperative
Thrift and Credit Society Ltd.,
Through the O/o the Deputy Registrar of Cooperative Societies,
Opposite to Women's College,
Sivagangai 630 562.

3.The President,
R.S.851, Sivagangai District Judicial Employees
Cooperative Thrift and Credit Society Ltd.,
No.3/2A, Marudhupandiar Nagar
Eastern Road,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to forward the new scale of pay fixed to the petitioner to the 3rd respondent



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either along with order of the 1st respondent or along with the resolution to that effect by the 2nd respondent and also direct the 3rd respondent to pay the new scale of pay fixed to the petitioner w.e.f. 04.06.2010 along with the terminal benefits eligible to the petitioner.

For Petitioner :Mr.V.O.S.Kalaiselvam

For R1 & R2 :Mr.P.Thambidurai
Government Advocate

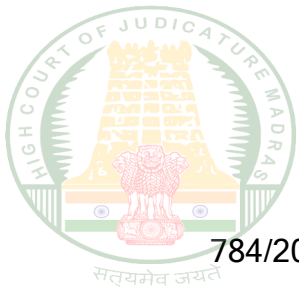
ORDER

This Writ Petition has been filed with the following prayer:-

“Writ of Mandamus, directing the 1st and 2nd respondents to forward the new scale of pay fixed to the petitioner to the 3rd respondent either along with order of the 1st respondent or along with the resolution to that effect by the 2nd respondent and also direct the 3rd respondent to pay the new scale of pay fixed to the petitioner w.e.f. 04.06.2010 along with the terminal benefits eligible to the petitioner. ”’

2.The facts of the case in a nutshell, led to filing of this Writ Petition and necessary for disposal of the same, are as follows:-

The petitioner, who was retired from service on 30.06.2018, was initially joined duty as Secretary in the second respondent Society on 28.07.1992, vide proceedings in R.C./9751/92 Ka.Va. and was transferred to the third respondent Society on 04.06.2010, vide proceedings in R.C.No.



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784/2010, dated 20.05.2010. In the meantime, the Registrar of Cooperative Societies vide R.C.No.12738/2010 V.A, dated 07.12.2010, issued a circular fixing new scale of pay to the employees of primary cooperative thrift and credit societies including the 2nd and 3rd respondent Societies, however, the second respondent failed to forward the said implementation to the third respondent Society. Hence, the third respondent Society failed to implement the same to the petitioner. In spite of several representations, neither the second respondent nor the first respondent failed to implement the said scale of pay to the petitioner. Hence, the petitioner has filed a writ petition bearing W.P.(MD) No.15972 of 2020 before this Court with the prayer to implement the said scale of pay, which was ordered by the Co-ordinate Bench of this Court, vide judgment and order dated 11.11.2020, directing the respondents therein to consider the representation of the petitioner, dated 31.08.2020. Accordingly, the second respondent issued a letter, dated 29.01.2021 fixing new scale of pay to the petitioner with effect from 04.06.2010. However, the second respondent did not forward the same to the third respondent and kept the same pending, due to which the third respondent Society could not able to fix the new scale of pay to the petitioner. Thus, being no other alternative, the petitioner has filed the present Writ Petition seeking the relief as stated supra.

3.Heard Mr.V.O.S.Kalaiselvam, learned counsel for the petitioner and Mr.P.Tambidurai, learned Government Advocate for the respondents 1 and 2.



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4.The learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this Writ Petition, submits that a positive directions may be given to the respondents 1 and 2 to forward the papers relating to the new scale of pay fixed to the petitioner to the third respondent, who, in turn, shall take a decision to pay the new scale of pay fixed to the petitioner along with the terminal benefits by way of a reasoned and speaking order in accordance with law after receiving the proposal from the respondents 1 and 2 within the time stipulated by this Court.

5.Mr.P.Tambidurai, learned Government Advocate for the respondents 1 and 2 submits that a positive directions may be given to the third respondent to pay the new scale of pay fixed to the petitioner with effect from 04.06.2010 along with terminal benefits in accordance with law after receiving the proposal from the respondents 1 and 2 within the time stipulated by this Court.

6.After considering the arguments advanced by the learned counsels for the parties and after perusing the records and averments made in the Writ Petition, this Court deems it appropriate that no useful purpose will be served in keeping this Writ Petition pending before this Court.



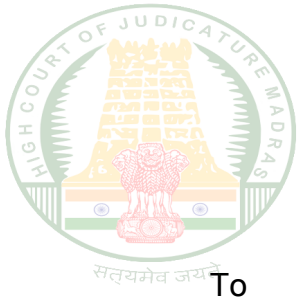
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7. Accordingly, the respondents 1 and 2 are directed to forward the papers relating to the new scale of pay fixed to the petitioner to the third respondent within a period of 8 weeks from today, without fail. After receiving the same, the third respondent is directed to take a decision by way of a reasoned and speaking order to pay the new scale of pay fixed to the petitioner with effect from 04.06.2010 along with terminal benefits in accordance with law within a period of six weeks from the date of receipt of such papers from the respondents 1 and 2. The third Respondent shall communicate the order/decision to the Petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks from the date of passing the order/decision. Let a copy of this order be given to Mr.P.Tambidurai, learned Government Advocate for the respondents 1 and 2 for information and its necessary compliance.

8. With the aforesaid directions and observations, the Writ Petition is finally disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
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To
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SHAMIM AHMED, J.

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