



W.P.(MD)No.22300 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

W.P.(MD)No.22300 of 2022

S.Boominathan

... Petitioner

vs.

1.The Registrar of Cooperative Societies,
170, Periyar EVR Highway,
Kilpauk, Chennai - 600 010.

2.The Deputy Registrar,
(Cooperative Societies),
Madurai Circle, Palanganatham,
Madurai District- 625 003.

3.The President,
A-3083, TNSTC Employees Cooperative
Thrift and Credit Society Limited,
94/4B, Pattukottai Kalyana Sundaram Street,
Pious Road, Madurai - 625 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to fix the petitioner's salary at the revised scale of pay introduced vide proceedings of the first respondent Registrar in Na.Ka.No.93630/2015 Va.A1(1), dated 08.11.2018 and release forthwith the monetary benefits including arrears.

For Petitioner	:Ms.Nikitha Jothi for M/s.Isaac Chambers
For R1 and R2	:Mr.M.Lingadurai Special Government Pleader



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ORDER

1. This Writ Petition has been filed under the Article 226 of the Constitution of India, to direct the respondents to fix the petitioner's salary at the revised scale of pay introduced vide proceedings of the first respondent Registrar in Na.Ka.No.93630/2015 Va.A1(1), dated 08.11.2018 and release forthwith the monetary benefits including arrears.
2. The facts of the case in a nut shell, led to filing of this Writ Petition and necessary for disposal of the same, are as follows:-
 - (a) The petitioner was appointed as Writer on 27.01.1998 in the third respondent Society. The first respondent fixes the salary to the employees of the Societies in each cadre based on its Grade. Though the first respondent has implemented the recommendations of the 6th Pay Commission and also the 7th Pay Commission to the employees of the Cooperative Societies, the third respondent is disbursing the salary to the petitioner only as per the recommendation of the 5th Pay Commission. Despite several representations for fixing the salary as per the recommendations of the 6th and 7th Pay Commission to the petitioner, till date the same has not been considered by the first respondent. In such circumstances, this Writ Petition has been filed



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seeking the relief as stated above.

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3. Heard Ms.Nikitha Jothi, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 and 2.
4. The learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this Writ Petition, submits that the petitioner has made several representations to decide the grievances and claim of the petitioner before the 1st respondent, however, till date, no action was taken and the first respondent has not decided the representation. Thus, he submitted that a positive direction may be given to the first respondent to consider the representation and decide the same by way of a reasoned and speaking order on merits and in accordance with law within a time frame that may be stipulated by this Court.
5. Mr.M.Lingadurai, learned Special Government Pleader for the Respondents 1 and 2 did not dispute the fact that the petitioner has made several representations and the last representation was made on 15.07.2022. He also submits that whatever the grievances are with the respondents, the petitioner may file a fresh representation before the 1st



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respondent, which would be considered and decided in accordance with law by a reasoned and speaking order within a time frame stipulated by this Court.

6. After considering the submissions made by the learned counsels for both parties and 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.
7. Accordingly, the petitioner is directed to file a fresh representation before the 1st respondent detailing his claim and grievances within a period of four weeks from today. If any such representation is filed by the petitioner before the 1st respondent as per the time stipulated by this Court, the 1st respondent is directed to consider the same and pass a reasoned and speaking order on merits and in accordance with law, after giving sufficient opportunity to the petitioner, within a period of two months from the date of receipt of such representation. The 1st respondent shall communicate the order to the petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks from the date of passing the order.



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8. With the above directions, this Writ Petition is finally disposed of. There shall be no order as to costs.

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Index :Yes / No
Internet :Yes / No
NCC :Yes / No

14.02.2025

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To

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2.The Deputy Registrar,
(Cooperative Societies),
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SHAMIM AHMED, J.

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