



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.10113 of 2018

A.Ganapatiramasubramanian

... Petitioner

vs.

1.The Deputy Director

The Cooperatives Spend Thrift Society

Cheranmahadevi

Tirunelveli District

2.The Secretary

0.2137 The Employees Spend Thrift

Cooperative Society Cheranmahadevi

Tirunelveli District

3.The President

0.2137 The Employees Spend Thrift

Cooperative Society Cheranmahadevi

Tirunelveli District

4.The Manager

TA 58A Agricultural Engineering

Services Cooperatives Society

Valliyoor, Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 to release the balance amount of Rs.3,50,000/- for the part work done and to facilitate the completion of remaining construction work as per the agreed terms in pursuance to the contract dated 25.10.2017 by considering petitioner's representation, dated 21.04.2018.

For Petitioner : Mr.P.Bhaskar

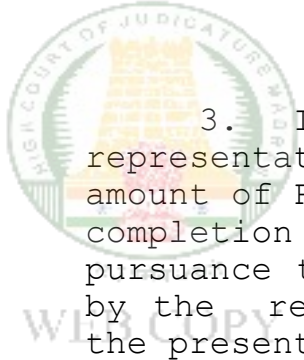
For Respondents : Mr.V.Anand

Government Advocate for R1

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the first respondents. Notice to the respondents 2 to 4 is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



3. It is the grievance of the petitioner that his representation dated 21.04.2018 seeking to release the balance amount of Rs.3,50,000/- for the part-work done and to facilitate the completion of remaining construction work as per the agreed terms in pursuance to the contract dated 25.10.2017, has not been considered by the respondents 3 and 4 till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 21.04.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To:

The Deputy Director,
The Cooperatives Spend Thrift Society,
Cheranmahadevi,
Tirunelveli District.

+1cc to M/S.P.Bhaskar, Advocate SR.No. 64579

W.P. (MD) No.10113 of 2018

28.04.2018

krk

JM/SV MMS/SAR 3/17.05.2018/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>