



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14428 of 2018

M.Annakili

... Petitioner

Vs.

1.The District Registrar of Cooperative Societies,
District Collectorate Campus,
Virudhunagar,
Virudhunagar District.

2.The Joint Registrar of Cooperative Societies,
District Collectorate Campus,
Virudhunagar,
Virudhunagar District.

3.The Special Officer,
A1569 Kariyapatti Primary Agricultural
Cooperative Loan Society,
Kariyapatti,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to disburse the petitioner's terminal benefits, provident fund along with the interest on considering the petitioner's representation dated 25.09.2017 within a stipulated time as fixed by this Court.

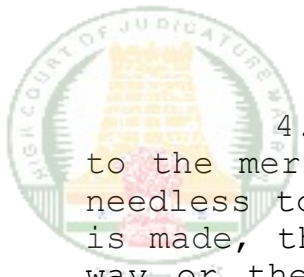
For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

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 25.09.2017 seeking to disburse the terminal benefits and provident fund, has not been considered by the respondents 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 respondents to consider the petitioner's representation dated 25.09.2017 on its own merits and take further action in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is needless to point out that so far as the charges and consequent punishment is concerned, though it is a subject matter of this writ petition, no prejudice would be caused to the respondents, if the admitted provident fund amount is disbursed to the petitioner herein.

6. In the light of the above said observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1.The District Registrar of Cooperative Societies,
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Kariyapatti,
Virudhunagar District.

+1 CC to Mr.J.SELVIN RAJESH, Advocate in SR.No.73368

RM

RJ/PN/SAR-3/27/07/2018 - 2P/5C

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W.P. (MD) No.14428 of 2018

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