



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.07.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.15044 of 2018

Bagiya Selvi

... Petitioner

vs.

1.The Joint Registrar of Co-operative Societies,
No.39, BDR Naidu Street,
Tuticorin Zone, Tuticorin 628 002.

2.The President
Palayakayal Salt Workers Co-operative,
Production and Sales Society Limited,
Palayakal, Tuticorin.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to pass orders on Petitioner's representation dated 19.02.2018 seeking allotment of the salt panland belonging to the 2nd respondent Society to its members for producing salt.

For Petitioner : Ms.P.Malini

For RR1 : Mr.J.Gunaseelanmuthaiah
Additional Government Pleader

For RR2 : Ms.D.Geetha

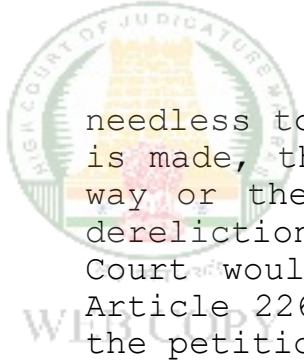
O R D E R

Mr.J.Gunaseelanmuthaiah, learned Additional Government Pleader, takes notice for the first respondent. Ms.D.Geetha, learned counsel takes notice for the second respondent.

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 her representation dated 19.02.2018, seeking to allotment of the salt pan land belonging to the 2nd respondent Society to its members for producing salt, has not been considered by the first respondent till date and therefore, she 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 an 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 first respondent to consider the petitioner's representation dated 19.02.2018 on its own merits and take further action in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To:

The Joint Registrar of Co-operative Societies,
No.39, BDR Naidu Street,
Tuticorin Zone, Tuticorin 628 002.

+1CC to M/s.D.Geetha Advocate in SR.No.72759.

+1CC to Special Government Pleader in SR.No.72846.

SJI
DS/SKN-RSK/SAR-1 :20.07.2018: 2P/4C

W.P.(MD) No.15044 of 2018
12.07.2018