



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26427 of 2019

R.Sathya

... Petitioner

vs

1.The Registrar of Co-operative Societies,
Registrar of Co-operative Societies Office,
No.70, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010

2.The Madurai Co-operatives
District Recruitment Board,
Joint Registrar/President, Co-operative Societies,
Co-operative Societies
Joint Registrar/ President Office,
Kanaga Apartment,
Madurai 625 001

3.The Managing Director/Joint Registrar
Ramanathapuram District Central Co-operative Bank,
Pudhunagaram, Uchipuli,
Ramanathapuram District.

4.The Managing Director,
Madurai District Central Co-operative Bank Limited,
No.187, North Veli Street,
Madurai 625 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 3rd respondents to consider the petitioner's representation dated 28.06.2017 for transfer and absorption to the post of Assistant in the 4th Respondent Bank within a time frame, as per the Circular issued by the 1st respondent dated 08.10.2018.

For Petitioner : M/s.D.Geetha

For RR 1 & 2 : Mr.M.Jeyakumar,
Additional Government Pleader.

For RR 3 & 4 : Mr.D.Shanmugaraja Sethupathi



O R D E R

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

2. The limited prayer sought for the petitioner is that to consider the representation dated 28.06.2017 seeking for transfer and absorption to the post of Assistant in the 4th Respondent Bank within a time frame, as per the Circular issued by the 1st respondent dated 08.10.2018.

3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merit and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 28.06.2017 on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondents to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Sts

To

1.The Registrar of Co-operative Societies,
Registrar of Co-operative Societies Office,
No.70, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010



2.The Madurai Co-operatives
District Recruitment Board,
Joint Registrar/President, Co-operative Societies,
Co-operative Societies
Joint Registrar/ President Office,
Kanaga Apartment,
Madurai 625 001

+1 CC to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-104849[F] dated 13/12/2019)

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+1 CC to M/s.D.GEETHA, Advocate (SR-104795[F] dated 13/12/2019)

+1 CC to SPL.GP (SR-104997[F] dated 13/12/2019)

Order made in
W.P. (MD) No.26427 of 2019
12.12.2019

VB(08.01.2020) 3P 7C