



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P.(MD)No.26410 of 2019

WEB COPY

P.Padmasree

... Petitioner

/vs./

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

2.The Madurai Co-operatives District Recruitment Board,  
Joint Registrar/president, Co-operative Societies,  
No.14, 2<sup>nd</sup> Floor,  
District Collector Office Annex Building,  
Nagercoil-629 001.

3.The Managing Director,  
Ramanathapuram District Central Co-operative Bank,  
No.265-E, Vandikara Street,  
Ramanathapuram-623 501.

4.Kanyakumari District Central Co-operative Bank Ltd.,  
The Managing Director,  
Door No.15/8-21,  
L.Ramachandra Nadar Building,  
Alexandra Press Road,  
Nagercoil-629 001.

... Respondents

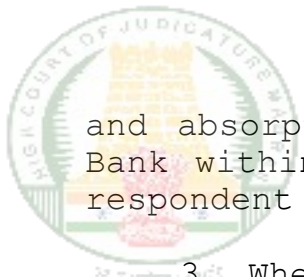
**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first and third respondents to consider the petitioner's representation dated 18.11.2019 for transfer and absorption to the post of Assistant in the fourth respondent Bank within a time frame, as per the Circular issued by the first respondent dated 8.10.2018.

|                 |   |                                                 |
|-----------------|---|-------------------------------------------------|
| For Petitioner  | : | Ms.D.Geetha                                     |
| For R-1 and R-2 | : | Mr.R.Sethuraman,<br>Special Government Pleader. |
| For R-3 and R-4 | : | Mr.D.Shanmugaraja Sethupathi                    |

### **ORDER**

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 18.11.2019 seeking for transfer



and absorption to the post of Assistant in the fourth respondent Bank within a time frame, as per the circular issued by the first 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 18.11.2019 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 her representation and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

cp

To

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2.The Madurai Co-operatives District Recruitment Board,  
Joint Registrar/president, Co-operative Societies,  
No.14, 2<sup>nd</sup> Floor,  
District Collector Office Annex Building,  
Nagercoil-629 001.

+1cc to Ms.D.Geetha, Advocate Sr.No.104794

+2cc to Mr.D.Shanmugaraja Sethupathi, Advocate SR.No.104851,104852

+1cc to SPL GP Sr.No.104990

Order made in

W.P.(MD) No.26410 of 2019

12.12.2019