



WEB COPY

W.P. (MD) No.806 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2020

CORAM:

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

W.P. (MD) No.806 of 2020

and

W.M.P. (MD) No.582 of 2020

M.Manickavasagam Pillai

... Petitioner

/vs./

1.The Deputy Registrar of Co-operative Societies,
District Collector Campus,
Nagercoil,
Kanyakumari District.

2.The Managing Director,
The People's Co-operative Bank Ltd., No.386,
Cape Road,
Nagercoil - 629 001,
Kanyakumari District.

3.The President,
The People's Co-operative Bank Ltd., No.386,
Cape Road,
Nagercoil - 629 001,
Kanyakumari 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 retirement benefits including gratuity, Employees Provident Fund and all other benefits to the petitioner within the time frame as fixed by this Court by considering the representation of the petitioner dated 18.01.2019.

For Petitioner : Mr.K.R.Laxman
For R1 & R2 : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

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

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2.The limited prayer sought for the petitioner is that to consider the representation dated 18.01.2019 seeking to disburse the retirement benefits including Gratuity, Employees Provident Fund and all other benefits to the petitioner.

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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 representations dated 18.01.2019 on its own merits and pass appropriate orders within a period of eight 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 first respondent to consider it in accordance with law.

5.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Deputy Registrar of Co-operative Societies,
District Collector Campus,
Nagercoil, Kanyakumari District.

+1 CC to M/s.SPL GP (SR-2808[F] dated 24/01/2020)

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-2755[F] dated 24/01/2020)

W.P. (MD) No.806 of 2020

23.01.2020

MR(CO)

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