



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2020**

CORAM:

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

WEB COPY

W.P. (MD) No.1373 of 2020

C.Kaliappan

... Petitioner

/vs./

1.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
No.170, EVR, Periyar High Road,
Kilpauk, Chennai - 10.

2.The Joint Registrar of Co-operative Societies,
Dindigul Region, Collector Office Complex,
Dindigul 5.

3.The Deputy Registrar of Co-operative Societies,
Public Distribution System,
Dindigul Region, Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to disburse the Gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs, within such time as may be stipulated by this Court.

For Petitioner : Mr.B.Dhinesh Kumar

For Respondents : Mr.M.Jeyakumar

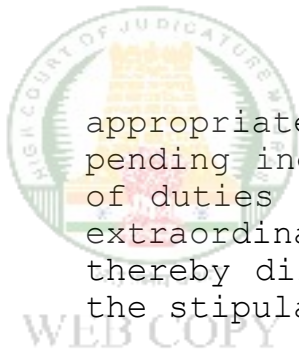
Additional Government Pleader

ORDER

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

2.The limited prayer sought for by the petitioner is that to consider the representation dated 16.11.2018 seeking to disburse the Gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs to the petitioner.

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 second respondent herein to consider the petitioner's representation dated 16.11.2018, on its own merits and pass appropriate orders within a period of four 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 second 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 ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Registrar of Co-operative Societies,
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No.170, EVR, Periyar High Road, Kilpauk,
Chennai - 10.

2.The Joint Registrar of Co-operative Societies,
Dindigul Region, Collector Office Complex,
Dindigul 5.

3.The Deputy Registrar of Co-operative Societies,
Public Distribution System,
Dindigul Region, Dindigul.

+1 CC to M/s.B.DHINESH KUMAR, Advocate (SR-2806[F] 24/01/2020)

+1 CC to M/s.Special Govt.pleader (SR-3152[F] dated 27/01/2020)

W.P. (MD) No.1373 of 2020

24.01.2020

MM

SDS(31.01.2020) 2P-6C

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