



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2020

CORAM:

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

W.P. (MD) No. 3078 of 2020

L.Boominathan

... Petitioner

/vs./

1.The Registrar of Co-operative Societies,
NV Natarajan Nagar,
170, EVR High Road,
Kilpauk, Chennai-10.

2.The Joint Registrar of Co-operative Societies,
Pudukkottai Region,
Pudukkottai District.

3.The Deputy Registrar of Co-operative Societies,
Aranthangi,
Pudukkottai District.

4.The President,
T1172 Koothadivayal Primary Agriculture
Co-operative Credit Society,
Aranthangi Post & Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct respondents to pay the revised salary along with the petitioner's arrear amount of salary from 01.04.2008 onwards along with all other benefits by complying with order in W.P(MD) Nos.9140, 9186 and 14636 of 2014 dated 19.12.2018.

For Petitioner : Mrs.K.Elil Selvi
For R-1 to R-3 : Mr.C.M.Marichellaiah Prabhu,
Additional Government Pleader.
For R-4 : Mr.S.Angappan

ORDER

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



2. Though the petitioner has sought for issuance of writ of mandamus to direct respondents to pay the revised salary along with his arrear amount of salary from 01.04.2008 onwards along with all other benefits by complying with order in W.P(MD) Nos.9140, 9186 and 14636 of 2014 dated 19.12.2018, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3. The petitioner would submit that he has already made the representations on 02.08.2019 and 13.01.2020 in this regard, which are said to be pending. If the said representations are directed to be disposed of within a stipulated time, the ends of justice could be secured.

4. 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 merits 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.

5. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations, dated 02.08.2019 and 13.01.2020, in the light of the order dated 19.12.2018 passed in W.P(MD) Nos.9140, 9186 and 14636 of 2014, on its own merits and pass appropriate orders within a period of six (6) 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 representations and it is for the first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The Registrar of Co-operative Societies,
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170, EVR High Road,
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2.The Joint Registrar of Co-operative Societies,
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3.The Deputy Registrar of Co-operative Societies,
Aranthangi,
Pudukkottai District.

+1CC TO MR.K.ELIL SELVI, Advocate Sr. No. 6643
+1 CC to M/s.SPL.GP (SR-7061[F] dated 19/02/2020)

Order made in
W.P.(MD) No.3078 of 2020

AL(CO)
TR(06.03.2020) 3P 6C