



WEB COPY

W.P.(MD) No.3700 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.02.2020**

CORAM:

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

W.P. (MD) No.3700 of 2020

B.Muthukrishnan

... Petitioner

/vs./

1.The Registrar of Societies,
Tamil Nadu Co-operative Societies,
No.170, N.V.Natarajan Maligai,
EVR Road, Poonthamalli Highway,
Kilpauk, Chennai.

2.The Joint Registrar,
Ramanathapuram District Consumer
Co-operative Wholesale Store Ltd., (RAMCO)
District Collector Complex,
Ramanathapuram,
Ramanathapuram District.

3.The Deputy Registrar/Managing Director,
Ramanathapuram District Consumer
Co-operative Wholesale Store Ltd., (RAMCO)
Vandikkara Street,
Ramanathapuram,
Ramanathapuram District.

4.The General Manager,
Ramanathapuram District Consumer
Co-operative Wholesale Store Ltd., (RAMCO)
Vadikkara Street,
Ramanathapuram
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents 2 to 4 to disburse retirement benefits in the light of the representation dated 29.01.2020, in accordance with law, within time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.M.Karuppasamy
Government Advocate



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. Though the petitioner has sought for issuance of writ of mandamus to direct the respondents 2 to 4 to disburse the retirement benefits, 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 a representation on 29.01.2020 in this regard, which is said to be pending. If the said representation is 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 second respondent herein to consider the petitioner's representation, dated 29.01.2020, 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 second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To:

- 1.The Registrar of Societies,
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Ramanathapuram District.
- +1 CC to M/s.SPL.GP (SR-8072[F] dated 25/02/2020)
- +1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-8243[F] dated 25/02/2020)

Order made in
W.P. (MD) No.3700 of 2020
24.02.2020

JMN(13.03.2020) 3P : 7C