



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6367 of 2018

S.Sundaram

... Petitioner

-Vs-

1)The President,  
Ananthandavapuram Primary  
Agricultural and Credit Society,  
Z.B.75, Ananthandavapuram Post,  
Mayiladuthurai Taluk.

2)The Secretary,  
Ananthandavapuram Primary  
Agricultural and Credit Society,  
Z.B.75, Ananthandavapuram Post,  
Mayiladuthurai Taluk.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disperse the retirement benefits of the petitioner with 18% interest from 30.06.2015 based on the representation of the petitioner dated 11.12.2017.

For Petitioner : Mr.R.Shivakumar

For Respondents : Ms.T.Girija

O R D E R

The petitioner herein had given a representation dated 11.12.2017 to the respondents to disperse his retirement benefits with 18% interest from 30.06.2015. Since the respondents have not considered the same till date, the petitioner has approached this Court by way of filing this writ petition seeking for a direction to the respondents to consider the representation of the petitioner dated 11.12.2017 within a time frame to be stipulated by this Court.



2. It is needless to point out that whenever representations of this nature are made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. Since the representation was made on 11.12.2017, it would not be appropriate to direct the respondents to consider the same after a lapse of four years. On the other hand, if the petitioner is granted liberty to give a fresh representation with a consequential direction to the respondents to consider the same, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is granted liberty to make a fresh representation to the first respondent, along with a copy of the earlier representation dated 11.12.2017, ventilating his grievances as expeditiously as possible and on receipt of such representation from the petitioner, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of four (04) weeks from the date of receipt of the fresh representation made by the petitioner.

5. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

SD/-  
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

sts/ata  
To:

1) The President,  
Ananthandavapuram Primary  
Agricultural and Credit Society,  
Z.B.75, Ananthandavapuram Post,  
Mayiladuthurai Taluk.



2) The Secretary,  
Ananthandavapuram Primary  
Agricultural and Credit Society,  
Z.B.75, Ananthandavapuram Post,  
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srg 22/12/2021