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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 23.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.16662 of 2020

S.Sankar Ganaesh

...Petitioner

Vs

1.The Addl. Chief Secretary to Government,
Co-op., Food & Consumer Protection Department,
Fort St.George, Chennai - 600 009.

2.The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk,
Chennai - 600 010.

3.The Joint Registrar of Co-op Societies,
Krishnagiri Region, Krishnagiri District.

4.The Deputy Registrar of Co-op Societies,
Hosur Circle, Krishnagiri District.

5.D.K.96, Anniyalam Primary Agricultural
Co-op. Credit Society,
Rep. by its President,
Anniyalam Village, Kakkadasam Post,
Denkanikottai Taluk, Krishnagiri District,
Pincode - 635 107.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Nos. 1 to 3 to pass appropriate orders on the representation dated 14.08.2020 made by the petitioner herein within stipulated time period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.K.V.Sajeev Kumar - For R1 to R4
: No appearance - For R5



O R D E R

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

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2. Since the petitioner's request to transfer him to the nearby Society's ration shop was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 14.08.2020, which is still pending.

3. It is needless to point out that whenever a representation of this nature is 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.

4. In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's representation dated 14.08.2020 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 14.08.2020 on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

KST



To

1.The Addl. Chief Secretary to Government,
Co-op., Food & Consumer Protection Department,
Fort St.George, Chennai - 600 009.

2.The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk,
Chennai - 600 010.

3.The Joint Registrar of Co-op Societies,
Krishnagiri Region, Krishnagiri District.

4.The Deputy Registrar of Co-op Societies,
Hosur Circle, Krishnagiri District.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.35376

W.P.No.16662 of 2020

PCH(CO)
RVM(16/08/2021)