



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.146 of 2021

and

W.M.P(MD) No.128 of 2021

WEB COPY

A.Soundaravalli

...Petitioner

Vs

1.The Chairman,
Tirunelveli District Central
Cooperative Bank,
Tirunelveli District.

2.The Managing Director,
Tirunelveli District Central
Cooperative Bank,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to promote the petitioner as Assistant Manager with effect from 17.11.2020 as per her representation dated 01.11.2020, placing her in the appropriate place of seniority with all monetary benefits, arising there on, consequent on her promotion within the time stipulated by this Court.

For Petitioner : Ms.P.Kalaiyarasi Bharathi

O R D E R

In view of the limited prayer sought for and since this Court is not adjudicating the emerge of the case, notice to the respondents is dispensed with.

2.Since the petitioner's request to the respondents to promote her as Assistant Manager with effect from 17.11.2020 and placing her in the appropriate place of seniority with all monetary benefits, arising there on, consequent on her promotion were not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 01.11.2020, 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 respondents herein to consider the petitioner's representation dated 01.11.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the respondents to consider the petitioner's representation dated 01.11.2020, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Chairman,
Tirunelveli District Central
Cooperative Bank,
Tirunelveli District.
2. The Managing Director,
Tirunelveli District Central
Cooperative Bank,
Tirunelveli District.

Order made in
W.P. (MD) No.146 of 2021

07.01.2021