



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.523 of 2021
and W.M.P.(MD).No.449 of 2021

P.R.Gunasekaran ...Petitioner

Vs.

1.The Registrar of Co-operative Societies (Housing),
Veppery, Chennai.

2.The Regional Deputy Registrar of
Co-operative Societies (Housing),
Thanjavur, Thanjavur District.

3.Thirubuvanam Co-operative House Building,
Society Ltd., Z.857,
Rep. by its Special Officer,
Thirubuvanam - 612 103.
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 to disburse the entire retirement (monetary) benefits and other attendant benefits like Provident Fund, Gratuity etc., to the petitioner considering the petitioner's representation dated 12.01.2018 and 24.12.2020.

For Petitioner : Mr.M.Gnanagurunathan

For Respondents : Mr.C.Ramar, for R1 and R2
Additional Government Pleader

O R D E R

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

2.Since the petitioner's request to the respondents to disburse the entire retirement (monetary) benefits and other attendant benefits like Provident Fund, Gratuity etc., were not considered, the Writ Petition has been filed. According to the petitioner, he has made a representations in this regard on 12.01.2018 and 24.12.2020, which are 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 second respondent herein to consider the petitioner's representations dated 12.01.2018 and 24.12.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representations dated 12.01.2018 and 24.12.2020, 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 (CO)

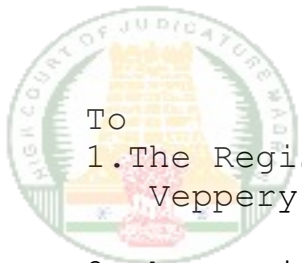
// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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 Registrar of Co-operative Societies (Housing),
Veppery, Chennai.

2.The Regional Deputy Registrar of
Co-operative Societies (Housing),
Thanjavur, Thanjavur District.

+1 CC to Mr.M.GNANAGURUNATHAN, Advocate (SR-1278[F] dated
19/01/2021)

W.P. (MD) No.523 of 2021
18.01.2021

KM (03.02.2021) 3P 4C