



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM:

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

**W.P. (MD) .No.3029 of 2021**

G.Seenivasan

... Petitioner

Vs.

1.The Chairman,  
Tamil Nadu Grama Bank (TNGB)  
Head Office, 6, Yercaud Road,  
Hasthampatti - PO, Salem - 636 007.

2.Appellate Authority / The Board of Directors,  
Tamil Nadu Grama Bank (TNGB),  
Head Office, 6, Yercaud Road,  
Hasthampatti - PO, Salem - 636 007. .. Respondents

**PRAYER:** Writ petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to conclude and dispose the appeal dated 18.08.2018, pending before the board and pass an appropriate order in accordance with law, within a stipulated time as prescribed by this Court.

For Petitioner : Mr.C.Masilamani

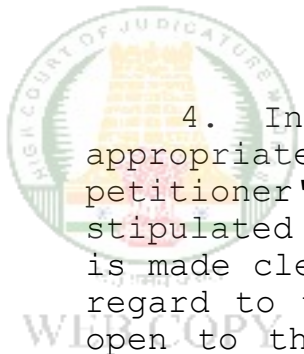
For Respondent : Mr.N.Dilip Kumar for R1

### **O R D E R**

By consent of both parties, this writ petition is taken up for final disposal. Since no adverse order is going to be passed against the second respondent, notice to the second respondent is dispensed with.

2.The limited prayer sought for in the present writ petition is for a direction to the second respondent to dispose of the petitioner's appeal dated 18.08.2018, which has been preferred against the final order dated 19.07.2018 passed by the Chairman/Disciplinary Authority.

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 representation/appeal dated 18.08.2018, 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 view 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 second respondent to consider the petitioner's representation/appeal dated 18.08.2018, if not already disposed of, on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 II)

// 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

The Appellate Authority / The Board of Directors,  
Tamil Nadu Grama Bank (TNGB),  
Head Office, 6, Yercaud Road,  
Hasthampatti - PO, Salem - 636 007.

+1 CC to M/s.N.DILIP KUMAR, Advocate , ( SR-5695[F] dated 17/02/2021 )

**W.P. (MD) .No.3029 of 2021**  
**17.02.2021**

kvn(CO)

KK(09.03.2021) 2P 3C