



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.3515 of 2021

and

W.M.P(MD) No.2846, 2847,2849, 2850 and 2851 of 2021

K.Santhi

...Petitioner

Vs.

1.The Registrar,
Co-operative Societies,
No.170, Periyar EVR Highway,
Kilpakkam,
Chennai-10.

2.The District Collector,
District Collector Office,
Dindigul-624 004.

3.The Joint Registrar/The President,
District Recruitment Bureau,
Co-operative Department,
Dindigul District,
District Collector Office Campus (2nd Floor),
Dindigul-624 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned provisional selection list issued by the third respondent office dated 09.02.2021 for the post of Assistant in Dindigul Central Co-operative Bank and quash the same as illegal insofar as not selecting the petitioner and consequently, direct the respondents to include the petitioner's name in the provisional selection list.

For Petitioner	: Mr.R.Karunanidhi
For Respondent	: Mr.P.Mahendran
Nos. 1&2	Additional Government Pleader
For Respondent No.3	: Mr.B.Bhagawathi
	Government Advocate

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.

<https://hcservices.ecourts.gov.in/hcservices/>



2. Though the petitioner has sought for issuance of a Writ of Certiorarified Mandamus, to quash the impugned provisional selection list issued by the third respondent dated 09.02.2021 for the post of Assistant in Dindigul Central Co-operative Bank and consequently, to direct the respondents to include the petitioner's name in the provisional selection list, the learned counsel for the petitioner would submit that he would be satisfied if the representation dated 15.02.2021 given by the petitioner, is directed to be considered by the respondents within a stipulated time.

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 15.02.2021, 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 third respondent to consider the petitioner's representation dated 15.02.2021, on its own merits and pass appropriate orders in accordance with law, within a period of two 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 petitions are closed.

Sd/-

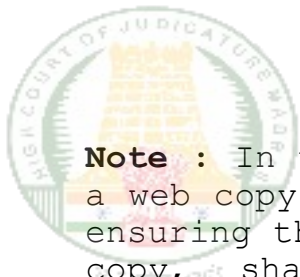
Assistant Registrar (CS-III)

// 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.

WEB COPY

To

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2.The District Collector,
District Collector Office,
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3.The Joint Registrar/The President,
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Co-operative Department,
Dindigul District,
District Collector Office Campus (2nd Floor),
Dindigul-624 004.

+1 CC to Mr.R.KARUNANIDHI, Advocate (SR-6907[F] dated 24/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-7248[F] dated 25/02/2021)

Order made in
W.P. (MD) No.3515 of 2021 and
W.M.P (MD) No.2846,2847,2849,2850&2851 of 2021
24.02.2021

NS (CO)

SRS (09/03/2021) 3P : 6C