



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.4555 of 2021

A.Muthusamy

...Petitioner

Vs.

1.The Joint Registrar,
Office of the Joint Registrar of Co-operative Societies,
District Collectorate Premises,
Sethupathi Nagar,
Ramanathapuram Post and District.

2.The Deputy Registrar,
Office of the Deputy Registrar of Coop Societies,
Madurai Road,
Paramakudi,
Ramanathapuram District.

3.The President,
Q953 Alanganoor Primary Agricultural
Cooperative Credit Society Ltd.,
Alanganoor,
Mudkulathoor Taluk,
Ramanathapuram District.

... Respondents

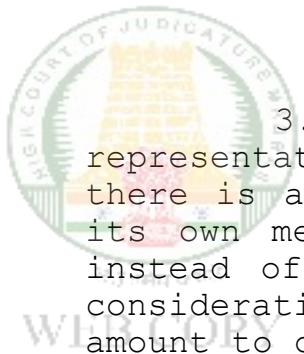
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to sanction and settle the petitioner's personal benefits like encasement of earned leave salary amount and gratuity with interest at the rate of 1% from 31.03.2017 based on the petitioner's representation dated 07.10.2020 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Saravanan
For Respondents : 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.

2.Since the petitioner's request to the respondents to sanction and settle his personal benefits like encasement of earned leave salary amount and gratuity with interest from 31.03.2017 was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 07.10.2020, 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 respondents 1 and 2 herein to consider the petitioner's representation dated 07.10.2020, 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 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 respondents 1 and 2 to consider the petitioner's representation dated 07.10.2020, 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.

Sd/-

Assistant Registrar ()

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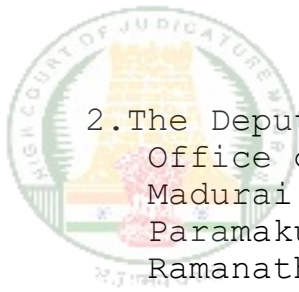
/ /2021

Sub Assistant Registrar(CS)

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 Joint Registrar,
Office of the Joint Registrar of Co-operative Societies,
District Collectorate Premises,
Sethupathi Nagar,
Ramanathapuram Post and District.



2.The Deputy Registrar,
Office of the Deputy Registrar of Coop Societies,
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3.The President,
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Mudkulathoor Taluk,
Ramanathapuram District.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-9041[F] dated 05/03/2021)

+1 CC to M/s.SPL GP (SR-9501[F] dated 08/03/2021)

W.P. (MD) No.4555 of 2021
05.03.2021

KMV(CO)
KB(17.03.2021) 3P 6C