



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2021

CORAM:

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

W.P. (MD) No.4855 of 2021

WEB COPY

Q, 1279, Ilayangudi Panchayat Union Teachers, Staffs and  
Aided Schools Employees Credit Society Ltd.,  
Represented by its, Secretary,  
Madha Kovil Street,  
Alnoor Hotel Upstairs,  
Ilayangudi,  
Sivagangai District. ...Petitioner

Vs.

- 1.The District Elementary Educational Officer,  
Sivagangai District, Sivagangai.
- 2.The Assistant Elementary Educational Officer,  
Ilayangudi,  
Sivagangai District.
- 3.The District Treasury Officer,  
Sivagangai District,  
Sivagangai.
- 4.The Sub Treasury Officer,  
Ilayangudi,  
Sivagangai District.
- 5.The Deputy Registrar of Co-operative Societies,  
Sivagangai Circle,  
Sivagangai District.

6.M.Roja Selvarani ... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 4 to consider the petitioner's representation, dated 19.01.2021 and 17.02.2021 and thereby, settle the loan amount to a tune of

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Rs.6,17,309/- with further interest thereupon to the petitioner society, within the time stipulated by this Court.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.A.Thiyagarajan for R1 to R5  
Government Advocate

### O R D E R

By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed against the 6<sup>th</sup> respondent, notice to the 6<sup>th</sup> respondent is dispensed with.

2.Since the petitioner's request to the respondents to settle the loan amount to a tune of Rs.6,17,309/- with further interest thereupon to the petitioner society, was not considered, the Writ Petition has been filed. According to the petitioner, he has made representations in this regard on 19.01.2021 & 17.02.2021, 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 2 to 4 herein to consider the petitioner's representations dated 19.01.2021 & 17.02.2021, 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 respondents 2 to 4 to consider the petitioner's representations dated 19.01.2021 & 17.02.2021, 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.

Sd/-

Assistant Registrar (CS I)

WEB COPY

// 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 District Elementary Educational Officer,  
Sivagangai District, Sivagangai.
- 2.The Assistant Elementary Educational Officer,  
Ilayangudi,  
Sivagangai District.
- 3.The District Treasury Officer,  
Sivagangai District,  
Sivagangai.
- 4.The Sub Treasury Officer,  
Ilayangudi,  
Sivagangai District.
- 5.The Deputy Registrar of Co-operative Societies,  
Sivagangai Circle,  
Sivagangai District.

+1 CC to M/s.D.SADIQ RAJA, Advocate ( SR-9615[F] dated 09/03/2021 )  
+1 CC to M/s.SPL GP ( SR-10127[F] dated 10/03/2021 )

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**09.03.2021**

NA (CO)

KK(25.03.2021) 3P 8C

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