



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P (MD)No.5954 of 2021

K.Ayer

...Petitioner

Vs.

1.The Registrar.

Office of the Registrar Co-Operative Societies,
170, EVR High Road,
Kilpauk, Chennai - 600 010.

2.The Joint Registrar,

Office of the Joint Registrar of Co-Operative Societies,
Palanganatham,
Madurai.

3.The Deputy Registrar,

Office of the Deputy Registrar of Co-Operative Societies,
Usilampatti at Jawahar Street,
Thirumangalam,
Madurai District.

4.The President,

MU 4 M.Keelapatti Primary Agricultural Co-Operative Credit
Society Limited,
M.Keelapatti,
Usilampatti Taluk, Madurai District.

... 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 disburse the petitioner's encashment salary of Rs.2,32,488/- and Employees Provident Fund amount Rs.3,37,511/- with interest from 1.4.2017 based on the representation dated 12.2.2020 within the period stipulated by this Court.

For Petitioner	: Mr.C.G.Pethanaraj
For Respondent	: Mr.P.Mahendran,
Nos.1 to 3	Additional Government Pleader
For Respondent	: Mr.C.Ramesh
No.4	Special Government pleader

O R D E R

The representation dated 12.02.2020 submitted by the petitioner seeking inclusion of his name for the post of Gangman (Trainee) in the selection list published by the 2nd respondent had not been considered by the respondents and therefore, the petitioner has filed the present writ petition.



2. 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.

3. In the light of the above observations, it would be appropriate to direct the respondents herein to consider the representation of the petitioner dated 12.02.2020 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.

4. Accordingly, there shall be a direction to the respondents to consider the representation of the petitioner dated 12.02.2020 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Registrar.

Office of the Registrar Co-Operative Societies,
170, EVR High Road,
Kilpauk, Chennai - 600 010.

2. The Joint Registrar,

Office of the Joint Registrar of Co-Operative Societies,
Palanganatham,
Madurai.



3.The Deputy Registrar,
Office of the Deputy Registrar of Co-Operative Societies,
Usilampatti at Jawahar Street,
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4.The President,
MU 4 M.Keelapatti Primary Agricultural Co-Operative Credit
Society Limited,
M.Keelapatti,
Usilampatti Taluk, Madurai District.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-11785[F] dated 17/03/2021)

+1 CC to M/s.SPL GP (SR-12162[F] dated 18/03/2021)

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17.03.2021

NA (CO)
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