



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2021**

CORAM:

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

**W.P. (MD) No.6635 of 2021**

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Santhi

...Petitioner

Vs.

1.The Registrar of Cooperative Societies,  
No.107, EVR.Periyar High Road,  
Kilpauk,  
Chennai.

2.The Joint Director of Cooperative Societies,  
Thanjavur.

3.The Deputy Registrar of Cooperative Societies,  
Sarangapani Sannathi Street,  
Kumbakonam,  
Thanjavur District.

4.The Managing Director,  
Kumbakonam Cooperative Urban Bank Limited,  
Kumbakonam,  
Thanjavur District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to disburse petitioner husband's pending subsistence allowance for the period of 2014 to 2017 and other entitled monetary benefits along with retirement benefits of her husband namely Rajendran such as Rs. 39,48,703 based on the petitioner's representation dated 10.1.2020.

For Petitioner : M/s.A.Banumathy

For R1 to R3 : Mr.A.Muthukaruppan  
Additional Government Pleader

**ORDER**

Since no adverse order is going to be passed against the 4<sup>th</sup> respondent, notice to the 4<sup>th</sup> respondent is dispensed with. By consent of the available 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 disburse her husband's pending subsistence allowance for the period of 2014 to 2017 and other entitled monetary benefits along



with retirement benefits, was not considered, the writ petition has been filed. According to the petitioner, she has made a representation in this regard on 10.01.2020, 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 herein to consider the petitioner's representation dated 10.01.2020, 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 to consider the petitioner's representation dated 10.01.2020, 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 (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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.

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To

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- 2.The Joint Director of Cooperative Societies,  
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- 3.The Deputy Registrar of Cooperative Societies,  
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Kumbakonam,  
Thanjavur District.

+1 CC to M/s.A.RAHUL, Advocate ( SR-13779[F] dated 25/03/2021 )

+1 CC to M/s.SPL GP ( SR-13969[F] dated 26/03/2021 )

**W.P. (MD) No.6635 of 2021  
24.03.2021**

GS (21.04.2021) 3P 6C