



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.22643 of 2019

Ramalingam

...Petitioner

Vs.

1.The Registrar,
Tamil Nadu Co-operative Societies,
Chennai.

2.The Joint Registrar of Co-operative Societies,
Pudukottai, Pudukottai District.

3.The Deputy Registrar of Co-operative Societies,
Pudukottai, Pudukottai District.

4.The President,
MM338, Perambur Primary Agricultural
Co-operative Credit Society,
Perambur, Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the General Provident Fund, Special Provident Fund, and Encashment of Earned Leave by considering the petitioner's representation dated 04.10.2019.

For Petitioner : Mr.K.Baalasundharam

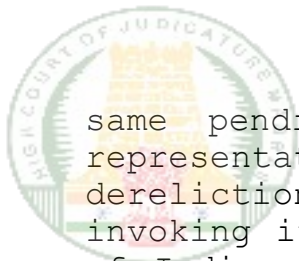
For Respondents : Mr.P.Mahendran
Additional Government Pleader

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 disburse the General Provident Fund, Special Provident Fund, and Encashment of Earned Leave, was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 04.10.2019, 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.

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4. In the light of the above observations, it would be appropriate to direct the respondents 3 and 4 herein to consider the petitioner's representation dated 04.10.2019, 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 3 and 4 to consider the petitioner's representation dated 04.10.2019, 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 (AD-II)

// True Copy //

/ /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 Registrar,
Tamil Nadu Co-operative Societies,
Chennai.

2. The Joint Registrar of Co-operative Societies,
Pudukottai, Pudukottai District.



3.The Deputy Registrar of Co-operative Societies,
Pudukottai, Pudukottai District.

4.The President,
MM338, Perambur Primary Agricultural
Co-operative Credit Society,
Perambur, Pudukottai District.

+1 CC to Mr.K.BAALASUNDHARAM, Advocate (SR-5428[F] dated
16/02/2021)

+1 CC to SPL GP (SR-5647[F] dated 17/02/2021)

W.P. (MD) No.22643 of 2019
16.02.2021

VB (02.03.2021) 3P 7C