



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13974 of 2022

S.Parsanathan

...Petitioner

Vs

1. The Joint Registrar of Co-operative Societies,
Tiruvannamalai Region,
Tiruvannamalai District.

2. The Management,
H.H.498, Nadalaganandal Primary
Agricultural Cooperative Credit Society,
Chengam Tk,
Tiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent's to pay the petitioner retirement benefits gratuity of Rs.2,73,812/- and Encashment of Rs.60,472/- and a total amount of Rs.3,34,284.00/- with 12% interest from the date of retirement till the payment and consider the petitioner representation dated 31.12.2021 and reminder representation 29.03.2022 within stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents: Mr.E.Vijay Anand
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representations to the 1st respondent on 31.12.2021 and 29.03.2022 to pay the retirement benefits i.e., gratuity of Rs.2,73,812/- and encashment of Rs.3,34,284/- with 12% interest from the date of retirement till the date of payment. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever the



representations 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 representations 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, there shall be a direction to the 1st respondent herein to consider the petitioner's representations dated 31.12.2021 and 29.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mst
To

1. The Joint Registrar of Co-operative Societies,
Tiruvannamalai Region,
Tiruvannamalai District.
2. The Management,
H.H.498, Nadalaganandal Primary
Agricultural Cooperative Credit Society,
Chengam Tk,
Tiruvannamalai District.

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RR(CO)
CT/17/06/2022