



W.P.(MD).No.10431 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD).No.10431 of 2021

A.Suresh

... Petitioner

Vs.

1.The Managing Director,
Repco Bank,
Repco Tower,
No.33, South Usman Road,
T.Nagar,
Chennai.

2.The Branch Manager,
Repco Bank,
Pudukottai Branch,
Pudukottai,
Pudukottai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to disburse the arrears of Commission and Rs.25,000/- towards Refundable Security Deposit, together with 18 % interest per annum to the petitioner as per the norms and conditions stipulated in Clause 9 of the Appointment order issued by the first respondent in his proceedings in RC.No.6602/88/G1 dated 16.02.2007 by considering the petitioner's representation dated 27.04.2021 within a period that may be stipulated by this Court.



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For Petitioner : Mr.A.Nawaz Khan
for M/s.Ajmal Associates
For Respondents : Mrs.J.Balameenakshi
for Mr.Pala Ramasamy,
Standing Counsel.

ORDER

The petitioner herein had given a representation to the first respondent on 27.04.2021 seeking for disbursal of arrears of commission and Rs.25,000/- towards Refundable Security Deposit, together with interest. Since the said representation was not considered, the present Writ Petition has been filed.

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.



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3. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 27.04.2021, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.

4. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

21.07.2022

Index : Yes / No
Internet : Yes/ No
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M.S.RAMESH, J.

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