



W.P.(MD).No.12238 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.(MD).No.12238 of 2022

P.Raju

...Petitioner

Vs

1.The Additional Secretary to Government,
Food, Co-op, Consumer Protection Department,
Fort St.George,
Chennai – 9.

2.The Deputy Registry,
Co-operative Society Deputy Registrar Office,
Thoothukudi District.

3.The Managing Director/Special Officer,
Thoothukudi Agricultural Co-operative Society
Supplies Sales Society,
Thoothukudi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to regularize the services of the petitioner's post ration shop weighter with pay all monetary and attendant benefits based on the representation in



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person dated 10.05.2022 to dispose of the same within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.P.Thilak Kumar,
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 representation to the first respondent on 13.05.2022, second respondent on 10.05.2022 and third respondent on 09.05.2022 seeking to regularize the service of the petitioner in the post of ration shop weighter with payment of all monetary and attendant benefits. Since the said representation was not considered, the present writ petition has been filed.



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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, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 13.05.2022 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. 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.



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5. With the above direction, the Writ Petition stands disposed of.

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No costs.

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Index: Yes/No

Speaking order/Non-speaking order

Nsr

To

1.The Additional Secretary to Government,
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M.S.RAMESH,J.

Nsr

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