



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM:

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

W.P. (MD)No.12751 of 2022

M.Murugan

... Petitioner

/vs./

1.The Regional Joint Registrar,
Thanjavur Region, Thanjavur.

2.The President,
T.1738 Chinnamuthandipatti Primary
Agricultural Cooperative Credit Society,
Nanthavanapatti, Muthandipatti Post,
Boothalur Taluk,
Thanjavur District-613 402.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner, dated 12.02.2021 to disburse the subsistence allowance at the rate of 75 percent and arrears of subsistence allowance from 18.02.2019 the date of suspension of petitioner till date together with interest at 12 percent p.a., within a reasonable time as may be fixed by this Court.

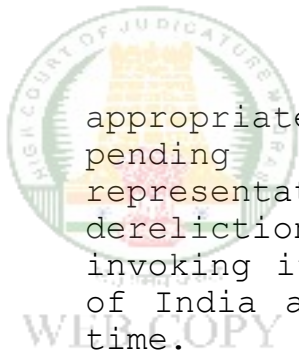
For Petitioner	:	Mr.C.Padmaraj
For Respondents	:	Mr.P.Thilak Kumar Government Pleader

ORDER

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

2. The petitioner herein had given representations to the second respondent on 29.02.2020, 30.05.2020, 20.06.2020 1.08.2020 and to the first respondent on 12.02.2021, seeking for disbursement of the subsistence allowance at the rate of 75 percent and arrears of subsistence allowance from 18.02.2019 the date of suspension of petitioner till date together with interest at 12 percent p.a.,. Since the said representations were not considered, the present writ petition has been filed.

3. It is needless to point out that whenever 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 second respondent herein to consider the petitioner's representation dated 12.02.2021 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) 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/-

Assistant Registrar (CS III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

btr

To

1.The Regional Joint Registrar,
Thanjavur Region, Thanjavur.

2.The President,
T.1738 Chinnamuthandipatti Primary
Agricultural Cooperative Credit Society,
Nanthavanapatti, Muthandipatti Post,
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Thanjavur District-613 402.

+1 CC to M/s.C. PADMARAJ, Advocate (SR-27667[F] dated 23/06/2022)
+1 CC to M/s.SPL.GP (SR-27693[F] dated 23/06/2022)

Order made in
W.P. (MD)No.12751 of 2022

Dated:
22.06.2022