



WP(MD)No.13607 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.08.2022**

CORAM:

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

W.P.(MD)No.13607 of 2022

R.Ushajothi Packia Celi

... Petitioner

/vs./

1.The Joint Registrar/President of Public Personnel
of Co-operative Societies (PACCS),
Thoothukudi District.

2.The Deputy Registrar of Co-operative Societies,
Thoothukudi.

3.The President,
E.E.418, Arumuganeri Primary
Agricultural Co-operative Credit Society,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to pass necessary orders enabling the 3rd respondent society to settle all petitioner's retirement benefits such as Provident Fund, Gratuity, Earned Leave Salary amounts to the tune of Rs.30,99,685/- with interest at the rate of 12 percent from 31.05.2022 to till the settlement of petitioner's retirement benefits are settled, in the light of the petitioner's representation dated 07.06.2022.



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For Petitioner : Mr.R.Saravanan
For Respondents : Mr.P.Thilak Kumar
Government Pleader (for R1)
Mr.M.Ramesh
Additional Government Pleader (for R2 & R3)

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 respondents on 07.06.2022 seeking for petitioner's retirement benefits. Since the said representation was not considered, the present writ petition has been filed.

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



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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 respondents herein to consider the petitioner's representation dated 07.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

12.08.2022

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

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- 2.The Deputy Registrar of Co-operative Societies,
Thoothukudi.
- 3.The President,
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W.P.(MD)No.13607 of 2022

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