



W.P.(MD).No.13608 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.13608 of 2022

Malairaj

... Petitioner

Vs.

1.The Joint Registrar / Managing Director,
Sivagangai District Central Co-operative Bank,
Sivagangai.

2.The Deputy Registrar,
Sivagangai District Central Co-operative Bank,
Sivagangai.

3.The Inspector of Police,
Commercial Crime Investigation Wing,
Sivagangai 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 consider the petitioner's representation dated 03.04.2021 within a time frame that may be stipulated by this Court and directing the first and second respondents to grant proper promotion to the petitioner, on the basis of the final order passed by this Court in Crl.O.P.(MD).Nos.18327 and 18389 of 2016 dated 08.12.2020.



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For Petitioner : Mr.R.Udhayakumar
For R-1 and R-2 : Mr.D.Shanmugaraja Sethupathi
For R-3 : 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 03.04.2021 seeking for proper promotion. 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 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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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 03.04.2021 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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. There shall be no order as to costs.

29.06.2022

Index : Yes / No
Internet : Yes/ No
Lm/Nsr

To

- 1.The Joint Registrar / Managing Director,
Sivagangai District Central Co-operative Bank,
Sivagangai.
- 2.The Deputy Registrar,
Sivagangai District Central Co-operative Bank,
Sivagangai.
- 3.The Inspector of Police,
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M.S.RAMESH, J.

Lm/Nsr

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