



WP(MD)No.13709 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2022**

CORAM:

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

W.P.(MD)No.13709 of 2022

Santhi

... Petitioner

/vs./

- 1.The Registrar of Co-operative Societies,
No.107, E.V.R.Periyar High Road,
Kilpauk,
Chennai.
- 2.The Joint Registrar of Co-operative Societies,
Thanjavur.
- 3.The Deputy Registrar of Co-operative Societies,
Sarangapani Sannathi Street,
Kumbakonam,
Thanjavur District.
- 4.The Managing Director,
Kumbakonam Co-operative Urban Bank Limited,
Kumbakonam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the petitioner's husband's pending allowances and other entitled monetary benefits along with retirement benefits of the petitioner's husband, namely, Rajendran such as Rs.35,30,528.50/- based on her representation, dated 14.09.2021.



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For Petitioner : Mr.A.Banumathy
For Respondents : Mr.P.Thilak Kumar
Government Pleader
Assisted by
Mr.M.Ramesh
Government Advocate

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 fourth respondent on 14.09.2021 seeking for disbursement of the petitioner's husband's pending allowances and other entitled monetary benefits along with retirement benefits of the petitioner's husband, namely, Rajendran such as Rs.35,30,528.50/-. 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



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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 petitioner to give a fresh representation along with calculation memo to the fourth respondent, though he has made a representation, dated 14.09.2021, seeking for disbursement of the petitioner's husband's pending allowances and other entitled monetary benefits along with retirement benefits. On receipt of such representation, the fourth respondent herein is directed to consider the same, 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 fresh representation. It is made clear that this Court has not expressed any of its views with regard to the claim of the petitioner to have given an application for compassionate appointment nor his entitlement for the same 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. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes / No
btr/TM

To

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M.S.RAMESH, J.

btr/TM

Order made in
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