



W.P.(MD) No.14925 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14925 of 2022

Balaji

... Petitioner

Vs.

- 1.The Regional Joint Registrar of Co-operatives Societies,
Integrated Multi Co-operative Buildings,
Annavasal Road,
Near District Collectorate,
Pudukkottai – 622 002.
- 2.The Deputy Registrar of Co-operative Societies,
Office of the Co-operative Societies,
Kamatchiamman Kovil Street,
Aranthangi Taluk – 614 616,
Pudukkottai District.
- 3.The Managing Director / Co-operative Sub Registrar,
M.M.23, Alangudi Agricultural Producer Co-operative Marketing
Society Ltd.,
No.7, Gandhi Road,
Alangudi – 622 301,
Pudukkottai District.



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4. The President,
M.M.23, Alangudi Agricultural Producer Co-operative Marketing
Society Ltd.,
No.7, Gandhi Road,
Alangudi – 622 301,
Pudukkottai District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to direct the 4th respondent to reimburse the petitioner's retirement benefits with an interest of 6.5% from the date of retirement i.e., on 31.12.2021, by considering the representation of the petitioner, dated 14.06.2022, within a time frame as fixed by this Court.

For Petitioner : Mr.R.Babu Jaganath

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 respondents on 14.06.2022 seeking to disburse his retirement benefits with an interest at the



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rate of 6.5% per annum from the date of his retirement i.e., on 31.12.2021.

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.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 14.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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



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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.

18.07.2022

Index : Yes / No

Speaking Order/ Non Speaking Order

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To

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M.S.RAMESH,J.

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