



W.P.(MD).No.16132 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.16132 of 2022

and

W.M.P.(MD).No.11663 of 2022

Ilamathiyan

... Petitioner

Vs.

1.The Joint Registrar,
Co-operative Societies,
District Collector Office Campus,
Ramanathapuram,
Ramanathapuram District.

2.The President,
P.Kodikulam
Primary Agricultural Co-operative Credit Societies,
P.Kodikulam,
Paramakudi Taluk,
Ramanathapuram 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 respondents to revoke the order of suspension passed by the first respondent vide proceedings in Na.Ka.No:5575/2021/C1 dated 13.11.2021 and reinstate into service by considering the petitioner's representation dated 27.06.2022 within a stipulated time that may be fixed by this Court.



W.P.(MD).No.16132 of 2022

For Petitioner : Mr.R.Karunanidhi
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 respondents on 27.06.2022 seeking to revoke the order of suspension and to reinstate the petitioner into service. 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



W.P.(MD).No.16132 of 2022

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 first respondent herein to consider the petitioner's representation, dated 27.06.2022, 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. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

22.07.2022

Index : Yes / No
Internet : Yes/ No
Lm/btr



W.P.(MD).No.16132 of 2022

To

WEB COPY

1. The Joint Registrar,
Co-operative Societies,
District Collector Office Campus,
Ramanathapuram,
Ramanathapuram District.

2. The President,
P.Kodikulam
Primary Agricultural Co-operative Credit Societies,
P.Kodikulam,
Paramakudi Taluk,
Ramanathapuram District.



WEB COPY



W.P.(MD).No.16132 of 2022

M.S.RAMESH, J.

Lm/btr

W.P.(MD).No.16132 of 2022

22.07.2022