



W.P.(MD).No.16953 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.16953 of 2022

C.Gunasekaran

... Petitioner

Vs.

1.The Registrar of Co-operative Societies,
170, Periyar E.V.R High Road,
Kilpauk,
Chennai – 600 010.

2.The Joint Registrar of Co-operative Societies,
Combined Multi Storage Building for Co-operatives,
Annavasal Road,
Pudukkottai.

3.The Joint Registrar of Co-operative Societies,
Samuthu School Street,
Kajanagar,
Mannarpuram,
Tiruchirappalli – 620 020.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to revoke petitioner's suspension order by considering the representation of the petitioner dated 16.05.2022 and directing the third respondent to pass final orders on the petitioner's disciplinary proceedings by considering the representation of the petitioner dated 02.05.2022 within a time frame as fixed by this Court.



W.P.(MD).No.16953 of 2022

For Petitioner : Mr.S.Karthikeyan
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 representations to the respondents on 02.05.2022 and 16.05.2022 seeking to pass final orders in the disciplinary proceedings initiated against him and revoke the order of suspension. Since the said representations were 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



W.P.(MD).No.16953 of 2022

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 to the second and third respondents, though he has made representations, dated 02.05.2022 and 16.05.2022, seeking to pass final orders in the disciplinary proceedings initiated against him and revoke the order of suspension. On receipt of such a representation, the second and third respondents herein are directed to consider the same, 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 fresh representation. 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.

01.08.2022

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



W.P.(MD).No.16953 of 2022

To

WEB COPY

- 1.The Registrar of Co-operative Societies,
170, Periyar E.V.R High Road,
Kilpauk,
Chennai – 600 010.
- 2.The Joint Registrar of Co-operative Societies,
Combined Multi Storage Building for Co-operatives,
Annavasal Road,
Pudukkottai.
- 3.The Joint Registrar of Co-operative Societies,
Samuthu School Street,
Kajanagar,
Mannarpuram,
Tiruchirappalli – 620 020.



WEB COPY



W.P.(MD).No.16953 of 2022

M.S.RAMESH, J.

Lm/btr

W.P.(MD).No.16953 of 2022

01.08.2022