



WP(MD)No.18017 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.08.2022**

CORAM:

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

W.P.(MD)No.18017 of 2022

Rasathi

... Petitioner

vs.

1.The Director of C-operative Audit,
Amma Complex,
Veterinary Hospital Campus 4th Floor,
No.571, Anna Salai,
Nandanam, Chennai-600 035.

2.The Additional Director of Co-operative Audit,
Co-operative Audit Department,
Plot No.100,
Nearby YWCA Matriculation School,
Anna Nagar,
Madurai-625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to declare the probation in the post of Junior Co-operative Auditor and include the petitioner's name in the promotional panel list fit for promotion to the post of Senior Co-operative Auditor by placing the petitioner in the appropriate Seniority List 2019 on the



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basis of the petitioner's representation dated 22.07.2022 within a stipulated time that may be fixed by this court.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.M.Ramesh

Additional 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 22.07.2022 seeking to declare the probation in the post of Junior Co-operative Auditor and include the petitioner's name in the promotional panel list fit for promotion to the post of Senior Co-operative Auditor by placing the petitioner in the appropriate Seniority List 2019. Since the said representation was not considered, the present Writ Petition has been filed.



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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 second respondent herein to consider the petitioner's representation dated 22.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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.



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Index : Yes / No
Internet : Yes / No
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To

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M.S.RAMESH, J.

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Order made in
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