



WP(MD)No.19885 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

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

W.P.(MD)No.19885 of 2022

S.Sheela Devi

... Petitioner

/vs./

- 1.The Joint Registrar of Co-operative Societies,
Thiruchirappalli Region,
Office of the Joint Registrar of Co-operative Societies,
Thiruchirappalli District.
- 2.The Deputy Registrar of Co-operative Societies,
(Public Distribution System),
Thiruchirappalli,
Thiruchirappalli District.
- 3.The Sub Registrar of Co-operative Societies,
(Public Distribution System),
Pullampadi Post,
Thiruchirappalli District.
- 4.The President,
TY.SPL92, Pullampadi Primary Agricultural
Co-operative Credit Society,
Pullampadi Post, Lalgudi Taluk,
Thiruchirappalli District-621 717.

... Respondents



WP(MD)No.19885 of 2022

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to sanction petitioner's two years of increment of salary from the suspension period of 09.01.2016 to 07.06.2016 and from 17.04.2017 to 30.07.2018 and to sanction two years Selection Grade and Special Grade Increment by considering the representation of the petitioner, dated 03.02.2022 within a time frame as fixed by this Court.

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 a representation to the respondents on 03.02.2022 seeking to sanction her two years of increment of salary from the suspension period of 09.01.2016 to 07.06.2016 and from 17.04.2017 to 30.07.2018 and to sanction two years Selection Grade and Special Grade Increment. Since the said representation was not considered, the present Writ



WP(MD)No.19885 of 2022

WEB COPY 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 fourth respondent herein to consider the petitioner's representation dated 03.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.



WP(MD)No.19885 of 2022

WEB COPY

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

26.08.2022

Index : Yes / No
Internet : Yes / No
btr/sm

To

- 1.The Joint Registrar of Co-operative Societies,
Thiruchirappalli Region,
Office of the Joint Registrar of Co-operative Societies,
Thiruchirappalli District.
- 2.The Deputy Registrar of Co-operative Societies,
(Public Distribution System),
Thiruchirappalli,
Thiruchirappalli District.
- 3.The Sub Registrar of Co-operative Societies,
(Public Distribution System),
Pullampadi Post,
Thiruchirappalli District.
- 4.The President,
TY.SPL92, Pullampadi Primary Agricultural
Co-operative Credit Society,
Pullampadi Post, Lalgudi Taluk,
Thiruchirappalli District-621 717.

4/5



WEB COPY



WP(MD)No.19885 of 2022

M.S.RAMESH, J.

btr/sm

Order made in
W.P.(MD)No.19885 of 2022

Dated:
26.08.2022