



WEB COPY



W.P.No.17220 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17220 of 2023

S.Shanmugam

... Petitioner

Vs

- 1.The Principal Secretary to Government,
Co-operation Food and Consumer Protection Department,
Secretariat, Chennai – 636 503.
- 2.The Registrar of Co-operative Societies,
N.V.Natarajan Maligai,
No.170, EVR High Road,
Kilpauk, Chennai – 600 010.
- 3.The Joint Registrar of Co-operative Societies,
Salem Region,
Collectorate, 4th Floor,
Salem – 636 001.
- 4.The Deputy Registrar of Co-operative Societies,
Omalur Circle, Omalur Post,
Salem District.
- 5.The President,
K.K.233, Thetigripatty Primary Agricultural
Co-operative Credit Societies Ltd.,
Thetigripatty Post,
Mettur Taluk, Salem District.



W.P.No.17220 of 2023

6.The President,

S.M.No.56, Mettur Power House Employees Co-operative,
Thrift and Credit Societies Ltd.,
Mettur Dam, Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass appropriate orders on the representation submitted by the petitioner on 09.09.2022 sent to respondents, requesting permission to absorption the petitioner permanently as Assistant/Clerk towards the vacant post in the sixth respondent Society.

For Petitioner : Mr.M.Govindan

For Respondents : Mr.P.Baladhandayutham,
Special Government Pleader
for R1 to 4

Mr.Jeevagiridharan,
Additional Government Pleader
for R5 & 6

ORDER

Heard Mr.M.Govindan, learned counsel for the petitioner, Mr.P.Baladhandayutham, learned Special Government Pleader for respondents 1 to 4 and Mr.Jeevagiridharan, learned Additional Government Pleader for respondents 5 and 6.



W.P.No.17220 of 2023

WEB COPY

2.The petitioner herein had given a representation to the respondents on 09.09.2022 for permanent absorption. 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 him 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 the 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 respondents herein to consider the petitioner's representation dated 09.09.2022, 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.



W.P.No.17220 of 2023

WEB COPY

5.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 respondents to consider the same on its own merits.

6.With the above direction, the Writ Petition stands disposed of.

No costs.

09.06.2023

Index:Yes/No

Speaking order/Non-speaking order

vga



W.P.No.17220 of 2023

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W.P.No.17220 of 2023

M.S.RAMESH,J.

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W.P.No.17220 of 2023

09.06.2023