



W.P.No.17944 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17944 of 2023

G.Visalatchi

... Petitioner

Vs.

1.The Registrar of Cooperative
Societies (Housing), No.50,
Ritherdon Road, Vepery,
Chennai-7.

2.G.Loganathan

3.P.Palanisamy

4.SLM HSG.90 Kadayampatty
Urban Cooperative Housing
Society Ltd., rep.by its President,
Kadayampatty Post, Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to take appropriate action on the petitioner's representation dated 02.02.2023 and dispose the same in accordance with law.

For Petitioner : Mr.R.Ashraf Khan

For Respondent-1 : Mr.P.Gurunathan,
Additional Government Pleader



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ORDER

WEB COPY In view of the limited nature of the order this Court proposes to pass, this Writ Petition is taken up for final disposal at the stage of admission itself without ordering notice to respondents 2 to 4.

2. The petitioner herein had given a representation to the first respondent on 02.02.2023 seeking to take action against the misfeasance and malfeasance in the fourth respondent society. Since the said representation has not yet been considered, the 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 Constitution of India and direct him to consider the same within a stipulated time.



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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 02.02.2023 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 first respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

20.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

The Registrar of Cooperative Societies (Housing), No.50,
Ritherdon Road, Vepery, Chennai-7.

RS/HVK



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M.S.RAMESH,J.

RS/HVK

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