



WEB COPY



W.P.No.19106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19106 of 2023

M. Annadurai

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Salem Region, Salem.

2.S.1308 Ammapettai Urban Cooperative Credit Society,
Rep. by its President,
Ammapettai,
Salem – 636 003.

3.Joedani

... 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 consider and dispose of the petitioner's representation dated 27.03.2023.

For Petitioner : Mr.M.S. Palaniswamy

For Respondents : Mr.P. Baladhandayutham,
Special Government Pleader [R1]

Mr.M.S. Premkumar,
Government Advocate [R2]



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ORDER

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Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the first respondent and learned Government Advocate appearing for the second respondent.

2. In view of the order to be passed by this Court, notice to the third respondent is hereby dispensed with.

3. The petitioner herein has given representation to the first respondent on 27.03.2023, requesting him to call for the entire records from the second respondent society with regard to promotion of the third respondent and conduct an inquiry. Since the said representation was not considered, the present Writ Petition has been filed.

4. 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



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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.

5. In the light of the above observations, there shall be a direction to the first respondent herein, to consider the petitioner's representation dated 27.03.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as the third respondent, within a period of three (3) months 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.

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

28.06.2023

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Joint Registrar of Cooperative Societies,
Salem Region, Salem.
- 2.President ,
S.1308 Ammapettai Urban Cooperative Credit Society,
Ammapettai,
Salem – 636 003.

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