



WEB COPY



W.P.No.19108 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.19108 of 2023

Thirunavukkarasu

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Dharmapuri Zonal Office,
District Collector's Office Campus,
Dharmapuri.

2.The Deputy Registrar,
Co-operative Societies,
Dharmapuri Zone.

3.The Sub Registrar,
Co-operative Societies,
Morappur, Dharmapuri District.

4.The President/Secretary,
KK.156, Sungarahalli,
Agricultural Co-operative Loan Society,
Sungarahalli,
Dharmapuri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to consider the petitioner's representation dated 20.04.2023 seeking to appoint



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him as a fertilize seller or Junior Clerk post based on the communication of the 1st respondent vide Na.Ka.992/2021 Tho.Sa dated 19.05.2022.

For Petitioner : Mr.R. Sudhakar

For Respondents : Mr.P. Baladhandayutham,
Special Government Pleader [R1 to R3]
Mr.T.M. Rajangam [R4]

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein has given representation to the fourth respondent on 20.04.2023, seeking to appoint him as a fertilize seller or Junior Clerk post, on compassionate ground, based on the communication of the 1st respondent vide Na.Ka.992/2021 Tho.Sa dated 19.05.2022. 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 the respondents to consider the same on its own merits and pass appropriate



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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 20.04.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

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

28.06.2023

Index: Yes/No
Speaking/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Joint Registrar of Co-operative Societies,
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District Collector's Office Campus,
Dharmapuri.
- 2.The Deputy Registrar,
Co-operative Societies,
Dharmapuri Zone.
- 3.The Sub Registrar,
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