



W.P.No.18988 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18988 of 2023

1.K.Selvam

2.M.Anbarasan

... Petitioners

Vs.

1.The Registrar of Co-operative Societies,
Kilpauk, Chennai.

2.The Joint Registrar of Cooperative Societies,
Krishnagiri Region, Krishnagiri.

3.The Management,
Selagampatti Primary Agriculture Cooperative
Credit Society Ltd.,
Rep. by its President/Secretary,
Selagampatti, Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularize the service of petitioners herein and extend further promotional avenues in terms of orders of this High Court dated 19.02.2021 made in batches of writ petitions Nos.21440, 21441, 21442/2015 etc., and consequential order of



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the Registrar of Cooperative Societies made in Circular No.7/2021 [Rc.No.103607/2007/SF2] dated 09.09.2021 by considering the petitioners representations dated 17.02.2020 and 03.05.2023.

For Petitioners : Mr.L.P.Shanmugasundaram
For R1 : Mr.P.Baladhandayutham
Special Government Pleader
Fro R2 & R3 : Mr.M.Murari
Government Advocate

ORDER

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

2. The petitioners herein had given a representation to the respondents on 17.02.2020 and 03.05.2023, seeking regularization of service and further promotional avenues, in the light of the order of this Court in W.P.Nos. 21440, 21441, 21442/2015 etc., and consequential order of the Registrar of Cooperative Societies made in Circular No.7/2021, dated 09.09.2021. Since the said representations have not been considered, the Writ Petition has been filed.



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3. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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 Authorities 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 second respondent to consider the petitioners' representation dated 17.02.2020 and 03.05.2023, 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 petitioners and that it is open to the concerned respondent to consider the same on its own merits.



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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Registrar of Co-operative Societies,
Kilpauk, Chennai.
2. The Joint Registrar of Cooperative Societies,
Krishnagiri Region, Krishnagiri.
3. The Management,
Selagarampatti Primary Agriculture Cooperative
Credit Society Ltd.,
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M.S.RAMESH,J.

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