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W.P.No.23081 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.23081 of 2023

M.Anbarasi

...Petitioner

Vs

1.The Managing Director/Special Officer,
Salem District Central Cooperative
Bank Ltd.,
153/65-a, Cherry Road,
Salem - 636 001.

2.The General Manager,
Salem District Central Cooperative
Bank Ltd.,
153/65-a, Cherry Road,
Salem - 636 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representations dated 10.04.2023 and 25.05.2023.



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For Petitioner : Mr.R.Ragavendran

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

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 petitioner herein had given representations to the respondents on 10.04.2023 and 25.05.2023, seeking for promotion to the post of Manager, together with consequential service benefits. Since the representations have not been considered, the present Writ Petition is 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 on 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



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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 him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 10.04.2023 and 25.05.2023 and pass appropriate orders in accordance with law, within a period of six 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 made by 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.

09.10.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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