



WEB COPY



W.P.No.26371 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.26371 of 2022
and W.M.P.No.25443 of 2022

J.Sandhya

... Petitioner

Vs

1. The Joint Registrar of Cooperative Societies,
Tiruvallur Region, Tiruvallur,
Tiruvallur District.
2. The Deputy Registrar of Cooperative Societies,
Ponneri Circle, Ponneri, Tiruvallur District.
3. The President,
J.J.709, Eguvarpalayam Primary Agricultural
Cooperative Credit Society, Eguvarpalayam
Village & Post, Gummidipoondi Taluk-601 201,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the petitioners service by passing necessary order for approving 3rd respondent society regularization by disposing the petitioner's written representation dated 16.08.2022.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Sanjay Gandhi
Government Advocate

* * * * *



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ORDER

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Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Government Advocate for the respondents and by consent of both sides, the main writ petition is taken up for final disposal.

2. The petitioner has made a representation on 16.08.2022 to the respondents to regularise the petitioner's service in the third respondent society by passing necessary order. Since the representation was not considered, the petitioner has filed the present writ petition.

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 authority 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 them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the



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respondents herein to consider the representation of the petitioner dated

16.08.2022 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

respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

30.06.2023

Index: Yes/No

Speaking order/Non-speaking order

sra

To

1. The Joint Registrar of Cooperative Societies,
Tiruvallur Region, Tiruvallur, Tiruvallur District.
2. The Deputy Registrar of Cooperative Societies,
Ponneri Circle, Ponneri, Tiruvallur District.
3. The President,
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M.S.RAMESH,J.,

(sra)

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