



W.P.No.30557 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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- 1.G.Subramanian
- 2.S.Sathasivam
- 3.M.John Felix
- 4.S.Subramaniya Guptha
- 5.P.Mathiytazhagan
- 6.R.Soupramanian
- 7.G.Said Nissar Ahamed
- 8.R.Murugesan
- 9.S.Comady
- 10.L.Aroquiamarie Juvenal
- 11.S.Tayanayaguy
- 12.S.Amudha
- 13.P.Sivarajan
- 14.Pitchandi

...Petitioners

Vs

- 1.The Chief Secretary,
Government of Puducherry,
Puducherry.
- 2.The Secretary (Co-operation),
Government of Puducherry,
Puducherry.



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3.The Registrar of Co-operative Societies,
Government of Puducherry,
Puducherry.

4.The Managing Director,
PONFAB, (The Pondicherry Co-operative Handloom Export
Development Project Ltd No.P.433)
Co-operative Export House,
No.6, Muthiah Mudaliar Street,
Muthialpet,
Puducherry – 605 003.

5.The President,
PONFAB, (The Pondicherry Co-operative Handloom Export
Development Project Ltd No.P.433)
Co-operative Export House,
No.6, Muthiah Mudaliar Street,
Muthialpet,
Puducherry – 605 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent herein to pay salary, gratuity, EPF allowances and retirement to benefits petitioners with interest of 6% any interruption.

For Petitioners : Ms.G.Sudha

For Respondents : Mr.R.Sreedhar,
Additional Government Pleader
(Puducherry)



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ORDER

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

2. The petitioners herein had given a representation to the fourth respondent on 30.12.2022, seeking to pay their salary, gratuity, EPF allowances and retirement benefits along with interest. 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 on 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 Authority would 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 them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioners' representation dated 30.12.2022 and pass appropriate orders in accordance with law, within a period of eight (8) 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 petitioners 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.

20.10.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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To

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- 3.The Registrar of Co-operative Societies,
Government of Puducherry,
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- 4.The Managing Director,
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M.S.RAMESH,J.

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