



W.P.No.29012 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29012 of 2023

G.M.Sathyamurthi
...Petitioner

Vs

1.The Joint Registrar of Co-operative Societies,
Erode Region, Erode.

2.The Administrator,
K1369, Savandapur Primary Agricultural
Cooperative Credit Society,
Savandapur (Post), Athani (via),
Erode District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the salary from 01.04.2021 to 22.05.2022 (12 months and 22 days) and pay the subsistence allowance from 23.05.2022 to till date with interest of 14% and considering the petitioner's representation dated 04.09.2023.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader



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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 a representation to the respondents on 04.09.2023 seeking salary from 01.04.2021 to 22.05.2022 and also subsistence allowance from 23.05.2022 to till date with interest at the rate of 14%. Since the representation has 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 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.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 04.09.2023 and pass appropriate orders in accordance with law, within a period of four 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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

06.10.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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