



W.P.No.32409 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32409 of 2023

A.Manivannan
S/o.Anjaan

...Petitioner

Vs

1. The District Collector
District Collector Office
Karaikal, Pondicherry State - 609 602.
2. The Registrar of Cooperative Societies
Co-operative Societies Department
V.V.P.Nagar, Thantanchavady Post,
Pondicherry State - 605 009.
3. The Deputy Registrar of Co-operative Societies
Office of the Deputy Registrar of Co-operative Societies
Perunthalaivar Kamarajar Administrative Complex
Madagadi, Karaikal, Pondicherry State - 609 602.
4. The President
Vizhithiyur Co-operative Milk Producer's Societies Ltd.,
P-610, Main Road, Viluthiyur
Karaikal, Pondicherry State - 609 607.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus, directing the respondents to consider the



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petitioner's representation dated 13.09.2023 to implement the resolution passed by the 4th respondent dated 11.08.2021 to promote the petitioner as a permanent clerk in the 4th respondent's Vizhithiyur Co-operative Milk Producer's Societies Ltd., as per the proceedings of the 2nd respondent in Proceedings No.140/DR/KKL/VZDR/CMPS/06-07/262 dated 21.09.2021.

For Petitioner : Mr.S.Vinoth Kumar
For Respondents : Mr.R.Sreedhar
Additional Government Pleader
Pondicherry.

ORDER

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

2. The petitioner herein has given a representation to the respondents on 13.09.2023, seeking to implement the resolution dated 11.08.2021 passed by the 4th respondent and to promote the petitioner as a permanent clerk in the 4th respondent's Vizhithiyur Co-operative Milk Producer's Societies Ltd., as per proceedings dated 21.09.2021. Since the said representation has not been considered till date, the present 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 a Statutory Authority, 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 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 respondents herein, to consider the petitioner's representation dated 13.09.2023, on its own merits 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 of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

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To

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M.S.RAMESH,J.

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