



W.P.No.32578 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32578 of 2023

G. Moorthy

... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Dharmapuri,
Dharmapuri District.

2.The Special Officer/President,
DD.23, Sitheri Hill Tribes Largesized Multipurpose
Co-operative Society Ltd.,
Setheri, Pappireddipatty Taluk,
Dharmapuri District – 636 903.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to forthwith fix the salary of the petitioner in the new scale of pay as per the Registrar's Circular 7 and 14 of the year 2014 and 2018 by considering the petitioner's representations dated 17.07.2023 and 07.08.2023.



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For Petitioner : Mr.N. Kolandaivelu
For R1 : Mr.M. Bindran,
Additional Government Pleader
For R2 : Mr.R. Neethi Perumal,
Government Advocate

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 representations to the respondents on 17.07.2023 and 07.08.2023, requesting to revise his salary as per the circulars dated 28.02.2014 and 08.11.2018. Since the said representations have not been considered till date, the present Writ Petition has been filed.

3. It is needless to point out that whenever representations 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,



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non-consideration of the representations 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 representations dated 17.07.2023 and 07.08.2023, on their own merits and pass appropriate orders in accordance with law, within a period of six (6) 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.

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

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M.S.RAMESH,J.

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To

- 1.The Deputy Registrar of Co-operative Societies,
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Dharmapuri District.
- 2.The Special Officer/President,
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