



WEB COPY



W.P.No.34476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34476 of 2023

G.Senthilkumar

... Petitioner

Vs.

1.The Director/The Registrar of Milk Co-operatives,
Milk Production and Dairy Development,
Aavin Illam,
3A, Pasumpon Muthuramalinganar Salai,
Nandanam, Chennai – 600 035.

2.The Deputy Registrar (Dairying),
Krishnagiri District, Krishnagiri.

3.The General Manager,
The Krishnagiri District Co-operative
Milk Producers Union Limited,
Krishnagiri – 635 101.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reinstate the petitioner by regularizing his service with the 3rd respondent Co-operative union with effect from his date of joining in service, based on the petitioner's representations dated 05.05.2022, 26.07.2022 and



W.P.No.34476 of 2023

06.09.2022.

WEB COPY

For Petitioner : Mr.A.Suresh Sakthi Murugan

For R1 & R2 : Mrs.V.Yamuna Devi,
Special Government Pleader

For R3 : Mr.V.Rajinikanth,
Standing Counsel

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 05.05.2022, 26.07.2022 and 06.09.2022, seeking to reinstate him and regularize his service with effect from his date of joining in service. 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 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



W.P.No.34476 of 2023

WEB COPY

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 representations dated 05.05.2022, 26.07.2022 and 06.09.2022, on their own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

15.12.2023

Index: Yes/No

Speaking order/Non-speaking order



WEB COPY *Sni*



W.P.No.34476 of 2023



WEB COPY



W.P.No.34476 of 2023

M.S.RAMESH,J.

Sni

To

- 1.The Director/The Registrar of Milk Co-operatives,
Milk Production and Dairy Development,
Aavin Illam,
3A, Pasumpon Muthuramalinganar Salai,
Nandanam, Chennai – 600 035.
- 2.The Deputy Registrar (Dairying),
Krishnagiri District, Krishnagiri.
- 3.The General Manager,
The Krishnagiri District Co-operative
Milk Producers Union Limited,
Krishnagiri – 635 101.

W.P.No.34476 of 2023

15.12.2023