



W.P.Nos.35117 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.Nos.35117 of 2023

B.S.Venkatesan

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Krishnagiri Region, Krishnagiri,
Krishnagiri District.

2.The President,
D.K.80, Berigai Primary Agricultural
Cooperative Credit Society,
Sulagiri Road, Berigai – 635 105.
Sulagiri taluk, Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the arrears of salary to the petitioner for the period from 01.04.2018 to 24.10.2018 by taking note of the revision of payscale as fixed by the Registrar of Cooperative Societies, Chennai.

For Petitioner : Mr.C.Prakasam

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader (For R1)
Mr.S.Jayachandran
Government Advocate (For R2)



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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 petitioner herein has given a representation to the respondents on 25.11.2023, seeking to disburse the arrears of salary to the petitioner for the period from 01.04.2018 to 24.10.2018 by taking note of the revision of payscale as fixed by the Registrar of Cooperative Societies, Chennai. Since the said representation has 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 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



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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 25.11.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four (04) 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.

gd

To

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Krishnagiri District.
- 2.The President,
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