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W.P.No.35872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35872 of 2023

1.K.Thamilarasi

2.K.Saravanan

3.S.Balumahendran

4.R.Karthi

5.S.Priya

... Petitioners

Vs.

The Registrar of Co-operative Societies
No.170, NVN Maligai,
Kilpauk, Chennai -10.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider and pass order on the representation submitted by the petitioners dated 29.09.2023 after giving opportunity.

For Petitioners : Mr.M.S.Palaniswamy



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

ORDER

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

2. The petitioners have given a representation to the respondent on 29.09.2023, seeking to publish the panel of eligible promotion list for junior inspectors to senior inspectors before publishing the exam results of the year 2022 by TNPSC for the post of Senior Inspectors on direct recruitment in the Co-operative Department. 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,



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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 respondent herein, to consider the petitioners' representation dated 29.09.2023, 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.

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

No costs.

22.12.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

gd

To

The Registrar of Co-operative Societies
No.170, NVN Maligai,
Kilpauk, Chennai -10.

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