



W.P.(MD).No.16522 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16522 of 2023

Sudha

... Petitioner

Vs.

1.The Registrar,
Registrar of Co-operative Societies,
170, M.V.Natarajan Balles,
EVR High Road,
Keelpauk,
Chennai.

2.The Joint Registrar,
Joint Registrar of Co-operative Societies,
Kajamalai Colony,
Trichy.

3.The Managing Director,
Tirichirapalli District,
Central Co-operative Bank Limited,
Theppakulam Post,
Trichy-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representations dated 07.11.2022 and 20.06.2023 of the petitioner within time frame fixed by this Court and consequently directing the



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respondents to disburse all the working benefits of the petitioner's husband with interest.

For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the respondents to consider the representations, dated 07.11.2022 and 20.06.2023 of the petitioner within time frame fixed by this Court and consequently directing the respondents to disburse all the working benefits of the petitioner's husband with interest.

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

3. The petitioner's husband, namely, Sekar worked as Branch Manager Staff No.15490 at Tiruchirapalli District Central Co-operative Bank, Velayuthampalaiyam Branch. Originally, he was appointed as Assistant Manager / Cashier at Kattuputhur, Trichy District in the year 1993 and he was



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subsequently transferred to several branches and finally he was appointed as Branch Manager in Velayuthampalaiyam Branch, Karur District in the year 2020.

4. The petitioner's husband was likely to be superannuated in the year 2026. However, unexpectedly, he died due to heart attack on 28.10.2022. After the demise of the petitioner's husband, all the working benefits were not disbursed till this date. Hence, the petitioner approached the respondents on various dates personally and finally through her representations, dated 07.11.2022 and 20.06.2023 along with the death certificate and legal heirship certificate. But even after receiving the representations of the petitioner, nothing happened fruitfully.

5. 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 the respondent 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 made by the Statutory Authority would



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amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. It is made clear that without going into the merits of this case, the respondents are directed to consider the representations of the petitioner, dated 07.11.2022 and 20.06.2023 within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above said observation, this writ petition stands allowed.
There shall be no order as to costs.

10.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1. The Registrar,
Registrar of Co-operative Societies,
170, M.V.Natarajan Balles,
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L.VICTORIA GOWRI, J.

BTR

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Trichy.

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