



W.P.No.13617 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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S. Vasanthi

...Petitioner

Vs

1. The Administrator,
The Chintadripet Co-operative Credit Society Ltd.,
No.99, Swami Naicken Street,
Chintadripet, Chennai – 600 002.

2. The Registrar of Co-operative Society of Tamil Nadu,
N.V. Natarajan Maligai,
No.170, E.V.R. High Road,
Kilpauk, Chennai – 600 010.

3. The Deputy Registrar (Credit),
Co-operative Society of Tamil Nadu,
Kuralagam, N.S.C. Bose Road,
Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to consider and pass orders based on the representation of the petitioner dated 21.03.2024 to the respondents and pass orders.



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For Petitioner : Mr.K. Bommuraj
For Respondent-1 : Mr.L.S.M. Hasan Fizal,
Additional Government Pleader
For Respondents 2 and 3 : Mr.M. Muthusamy
Government Advocate

ORDER

The petitioner has filed this writ petition to issue a Writ of Mandamus directing the Respondents to consider and pass orders based on the representation of the petitioner dated 21.03.2024 to the respondents and pass orders.

2. The facts of the case is that the petitioner is a legally wedded wife of one V.Subramani who worked as an appraiser in the first respondent office and passed away on 17.07.2016. It is pertinent to note due to the reason that no child was born to the petitioner, the said V.Subramani without the knowledge of the petitioner married one Bhuvaneshwari and due to the said wedlock two children was born to them. The deceased V.Subramani has settled the properties to the children of the said Bhuvaneshwari. The grievance of the petitioner is that when she applied for legal heir certificate the Tahsildar, Tondiarpet Taluk,



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Chennai refused to issue legal heir certificate, due to which the petitioner filed suit in O.S.No.4506 of 2017 before the City Civil Court at Chennai for declaring herself as legal heir of the deceased V.Subramani and the suit was also decreed on 08.07.2019. By the virtue of decree the petitioner applied for legal heir certificate and the same was issued on 12.04.2022 and she produced the certificate to the first respondent and claimed terminal benefits of the deceased husband. In this regard the petitioner has also sent a representation to the respondents on 21.03.2024. However, the same was not considered till date. Hence, this petition.

3.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

4. The learned Additional Government Pleader and Government Advocate appearing for the respondents submitted that the representation of the petitioner will be considered on merits and in accordance with law.



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5. It is needless to point 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, instead of keeping the same pending indefinitely.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 21.3.2024 on its own merits and pass appropriate orders in accordance with law, within a period of twelve 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 view with regard to the merits of the claim made by the petitioner and it is open to the concerned respondent to consider the same on its own merits.

7. With the above directions, this Writ Petition stands disposed of.
No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

Smn

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