



W.P(MD)No.4996 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.4996 of 2024

G.Sethumani

... Petitioner

Vs.

1.The Special Officer,
Pasumalai Co-operativ Credit Society,
Pasumalai,
Madurai-625 004.

2.The Deputy Registrar of Co-operative Societies,
Madurai Circla,
Madurai-625 003.

3.The Joint Registrar of Co-operative Societies,
Madurai Region,
Madurai-625 003.

... 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 pass appropriate orders appointing the petitioner as Salesman or any other allied job in the 1st Respondent's Society by considering the reminder representation given by the petitioner, dated 31.01.2024 based on the recommendation letter, dated 15.06.2022 by the 1st Respondent Society within a time as may be stipulated by this Court.



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For Petitioner : Mr.M.Karthikeya

For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the respondents to pass appropriate orders appointing the petitioner as Salesman or any other allied job in the 1st respondent's Society by considering the reminder representation given by the petitioner, dated 31.01.2024 based on the recommendation letter, dated 15.06.2022 by the 1st Respondent Society within a time as may be stipulated by this Court.

2. The petitioner's father V.S.Gopalakrishnan was working as a Salesman at the respondent office for more than 19 years and while in service, he passed away on 23.07.2005. The petitioner made an application for the post of Salesman/Clerk on 31.12.2007 on compassionate ground. The 1st respondent recommended the case of the petitioner by letter, dated 29.12.2009 through the 2nd respondent to the 3rd respondent. The petitioner has also sent a reminder letter on 20.09.2010 to the 1st respondent. The 1st respondent has also issued a letter, dated 15.06.2022 recommending the case of the petitioner for



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compassionate appointment through Deputy Registrar of Co-operative Society, Madurai Circle to the Joint Registrar of Co-operative Society, Madurai Region.

Since the same was not considered, this writ petition came to be 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 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 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.

4. Considering the limited scope of the relief sought for by the petitioner, this Court hereby direct the respondents to consider the recommendation letter, dated 15.06.2022 and 15.02.2023 of the 1st respondent and the representation of the petitioner, dated 31.01.2024 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of copy of this order.



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5. With the above said observations, this Writ Petition stands disposed of. No costs.

20.03.2024

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

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To

- 1.The Special Officer,
Pasumalai Co-operativ Credit Society,
Pasumalai,
Madurai-625 004.
- 2.The Deputy Registrar of Co-operative Societies,
Madurai Circla,
Madurai-625 003.
- 3.The Joint Registrar of Co-operative Societies,
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L.VICTORIA GOWRI, J.

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