



W.P.(MD).No.5883 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.5883 of 2024

P.Murughanantham

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep.by it's Additional Chief
Secretary to Govt.,
Cooperative food and consumer
protection department,
Secretariat,
Chennai.
2. The Registrar of Co-Operative Societies,
Kilpauk,
Chennai.
3. The Deputy Registrar of Food,
Thuckalay, Kanyakumari District.
4. The Secretary Kurundankodu
Primary Agriculture
Co-operative Credit Society,
Kurundankodu,
Kanyakumari District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 12.02.2024 and thereby direct the 4th respondent to pay Rs.16,000/- (Rupees Sixteen Thousand only) for the lapse period of 16 months from 22.02.2021 to 31.05.2022 as per GO No: 22 of Cooperative Food and Consumer Protection (CN1) Department dated 22.02.2021 with interest from the date of GO'.

For Petitioner : Mr.G.Cenil

For Respondents : Mr..R.Ragavendran
Government Advocate

ORDER

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

2. The present writ petition has been filed seeking direction to the respondents 1 to 4 to consider the petitioner's representation dated 12.02.2024 and thereby direct the 4th respondent to pay Rs.16,000/- (Rupees Sixteen Thousand only) for the lapse period of 16 months from 22.02.2021 to



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31.05.2022 as per GO No: 22 of Cooperative Food and Consumer Protection (CN1) Department dated 22.02.2021 with interest from the date of GO'.

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner worked as an employee of the 4th respondent Society and on attaining the age of superannuation, he retired on 31.07.2018 as Secretary. The petitioner is serving without pension amount, after his retirement. While so, the Government of Tamil Nadu issued G.O.No.22 of Cooperative Food and Consumer Protection (CN1) Department dated 22.02.2021 for monitory benefit of Rs.1,000/- (Rupees One Thousand only) every month for the existing and surviving retired employees of the society. The petitioner got the benefit of said G.O. From 01.06.2023 after a lapse of 16 months. The said delay and lapse is attributable to the Government and the respondent is entitled to be settled with an amount of Rs.16,000/- (Rupees Sixteen Thousand only) for the period of 16 months. For which, the petitioner made a representation on 12.02.2024 and the same was not considered by the respondents. Hence, the present writ petition came to be filed.



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4. Heard, the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Carefully perused the materials available on record.

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 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. Without going into the merits of this case, this Court hereby direct the respondents 1 to 4 to consider the petitioner's representation dated 12.02.2024 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.



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7. Accordingly, this Writ Petition stands disposed of. No costs.

12.03.2024

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

To

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L.VICTORIA GOWRI, J.

Sml

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