



W.P.(MD).No.7053 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7053 of 2024

R.Murugan

... Petitioner

Vs.

- 1.The Registrar of Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar EVR High Road,
Poonamallee High Road,
Kilpauk, Chennai-600 010.
- 2.The Joint Registrar of Co-operative Societies,
O/o the Joint Registrar of Co-operative Societies,
Tirunelveli Region,
No.1, Meighnana Street,
Tirunelveli-627 002.
- 3.The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Co-operative Societies,
186/10, 11 Senbahavinayagar Kovil Street,
Temple Tower, Near Old Bus Stand,
Tenkasi-627 811.
- 4.The Administrator,
TN.SPL.136 Thenmalai Primary Agricultural
Co-operative Credit Society,
Thenmalai-627 770,
Sivagiri Taluk, Tenkasi 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 to consider the representation of the petitioner, dated 01.08.2022 to appoint the petitioner to the post of either salesman in the fair price shop or as office assistant based on the petitioner's qualifications and as per his representation, dated 01.08.2022.

For Petitioner : Mr.V.O.S.Kalaiselvam

For R1 to R4 : Mr.C.Baskaran
Government Advocate

ORDER

The present writ petitions have been filed seeking direction to the respondents to consider the representation of the petitioner, dated 01.08.2022 to appoint the petitioner to the post of either salesman in the fair price shop or as office assistant based on the petitioner's qualifications and as per his representation, dated 01.08.2022.

2. The petitioner joined into the service of the 4th respondent Society as Salesman in the fair price shop from 26.12.2000. He worked on daily wages basis at the rate of Rs.50/- per day as wages. Whiles, he was directed to work as Office Assistant in the said office till October 2005. The petitioner has



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worked from 26.12.2000 to October 2005. Thereafter, he was orally directed by the Special Officer not to report for work by citing the objection of the 3rd respondent. After oral termination of the petitioner, 4 persons were appointed to the post of Salesman in the fair price shops. Hence, the petitioner made a representations on 09.03.2005, 09.10.2006, 19.12.2006 and 11.03.2008. However, the same were not considered. Thereafter, the petitioner made yet another representation on 01.08.2022 to appoint the petitioner as Salesman in the fair price shop. However, the same was also not considered. Hence, 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.



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4. Without going into the merits of this case, this Court hereby direct the respondents to consider the representation of the petitioner, dated 01.08.2022 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.

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

25.03.2024

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

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To

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L.VICTORIA GOWRI, J.

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