



WP(MD) No.9882 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.9882 of 2024

P.Piramanayagam

... Petitioner

Vs.

1.The Joint Director

Kallar Reclamation,

Old Ramanathapuram Collectorate Campus,

Near Anna Bus Stand,

Madurai - 625 020.

2.The Secretary,

A - 1668 Government Kallar Reclamation,

Teachers Co-Operative Society,

Anna Nagar – 625020,

Madurai District.

... Respondents



WP(MD) No.9882 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent Society to sanction and disburse the petitioners savings amount under Registration No.2581/1993 vested with the 2nd respondent Society by considering the representation submitted by the petitioner dated 28.11.2023.

For Petitioner : Mr.T.CibiChakraborty

For Respondents: Mr.T.Amjadkhan

Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to direct the 2nd respondent Society to sanction and disburse the petitioners savings amount under Registration No. 2581/1993 vested with the 2nd respondent Society by considering the representation submitted by the petitioner dated 28.11.2023.



WP(MD) No.9882 of 2024

WEB COPY

2. Heard Mr.T.CibiChakraborty, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

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

4. The petitioner herein had given a representation to the second respondent society on 28.11.2023 regarding sanction and disburse the savings amount of the petitioner under Registration No.2581/1993 vested with the second respondent. Since the said representation was not considered, the present writ petition has been filed.

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 respondents to consider the same on its own



WP(MD) No.9882 of 2024

WEB COPY

merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, this Writ Petition is **disposed of** with a direction to the second respondent herein to consider the petitioner's representation, dated 28.11.2023 and pass appropriate orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the



WP(MD) No.9882 of 2024

WEB COPY

second respondent to consider the same on its own merits. No costs.

23.04.2024

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

RM

To

1.The Joint Director
Kallar Reclamation,
Old Ramanathapuram Collectorate Campus,
Near Anna Bus Stand,
Madurai - 625 020.

2.The Secretary,
A - 1668 Government Kallar Reclamation,
Teachers Co-Operative Society,
Anna Nagar – 625020,
Madurai District.



WEB COPY



WP(MD) No.9882 of 2024

R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.9882 of 2024

23.04.2024