



W.P.(MD)No.20069 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : **05.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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- 1.N.Mehanathan
- 2.T.Panneerselvam
- 3.F.Arokiadoss
- 4.V.Jayaraman
- 5.R.Rajendran
- 6.P.Jayaveeraraman
- 7.Muthu
- 8.A.Murugesan
- 9.V.Gowrishankar
- 10.G.Anandan
- 11.G.Albert Sagayam
- 12.K.Ramesh
- 13.Shanthi

... Petitioners

Vs.

1. The President,
Government Telecom Employees Cooperative Society Limited,
No.37-A, Sembudoss Street,
Chennai-600001.
2. The Secretary,
Government Telecom Employees Cooperative Society Limited,
No.37-A, Sembudoss Street,
Chennai-600001.



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3. The Additional Secretary And Central Registrar of Cooperative Societies,
Room No.12, (Office of Crcs Room No.26(B),
Department of Agriculture, Cooperation and Farmers Welfare,
Krishi Bhavan,
New Delhi 110 001.
4. The Joint Secretary,
Room No.382, Ministry of Cooperation,
Krishi Bhavan,
New Delhi-110001.
5. The Deputy Commissioner,
Room No.298, Ministry of Cooperation,
Krishi Bhavan,
New Delhi-110001.
6. The Assistant Commissioner,
Room No.462, Ministry of Cooperation,
Krishi Bhavan,
New Delhi-110001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to consider the representations of the petitioners dated 17.05.2023 sent by separate registered posts for disbursement of the dues payable by the respondents 1 and 2 herein to the respective petitioners with accrued interest thereon at 12 percent per annum, without any further delay.

For Petitioners : Mr.P.Vadivel

For Respondents : Mr.T.Sundaranathan (R1 & R2)

Mr.K.Govindarajan (R3 to R6)

Deputy Solicitor General of India



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ORDER

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This writ petition is filed to direct the respondents 1 and 2 to consider the representation of the petitioners dated 17.05.2023 for disbursement of the dues payable by the respondents 1 and 2 to the respective petitioners with interest.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioners were the employees of the Bharat Sanchar Nigam Limited (BSNL), Tanjore and they are the members of the Government Telecom Employees Cooperative Society Limited. The petitioners' employer, BSNL had recovered membership subscription amount from the petitioners' salary and credited the same into the accounts of the respondent society. Such statutory deductions would be disbursed with nominal rate of interest on retirement or voluntary retirement on attaining the age of superannuation. In the case of the petitioners herein, the same was not disbursed sofar. Hence, the petitioners made a representation dated 17.05.2023. Since the same is not considered, this writ petition has been filed.



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4. 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.

5. In view of the same, without going into the merits of this writ petition, this Court hereby direct the respondents to consider the petitioners' representation dated 17.05.2023 and disburse the same in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

05.12.2024

(2/2)

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.20069 of 2023
(2/2)

Dated:
05.12.2024