



W.P.(MD).No.12491 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12491 of 2025

Thananjeyan

... Petitioner

-VS-

1. The Cooperative Deputy Registrar,
The District Co-Operative Society,
Thoothukudi,
Thoothukudi District.
2. The Co-Operative Sub Registrar and
Section 81 Enquiry Officer,
E.E.229, Palayakayal Salt Works,
Co-Operative Production and Sale Society Limited,
Palayakayal,
Eral Taluk, Thoothukudi District.
3. S.Krishnan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to conduct an enquiry regarding the proceedings in Na.Ka.1355/2024 sa.pa.naal 22.10.2024 by the 2nd respondent and also consider the representation dated 28.03.2025 within a time prescribed by this Court.



WEB COPY



W.P.(MD).No.12491 of 2025

For Petitioner : Mr.S.Muthu Malai Raja

For Respondents : Mr.C.Venkatesh Kumar,

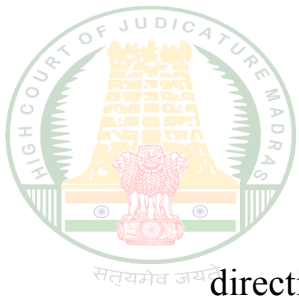
Spl. Govt. Pleader [R1 & R2]

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to conduct an enquiry regarding the proceedings in Na.Ka. 1355/2024 sa.pa.naal 22.10.2024 by the 2nd respondent and also consider the representation dated 28.03.2025 within a time prescribed by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the private respondent is dispensed with.

3. The petitioner is the member of second respondent society and the petitioner is doing salt business by taking lease in uppalam owned by the second respondent society. While this being so, the second respondent issued a summon dated 24.03.2025 to the petitioner, wherein there is no allegation against the petitioner and no details as to what sort of documents needed and subsequently, the second respondent initiated enquiry proceedings against him in Na.Ka.No.1355/2024 dated 22.10.2024. Hence, the petitioner seeks a



W.P.(MD).No.12491 of 2025

WEB COPY

direction to the 1st respondent to conduct an enquiry regarding the proceedings in Na.Ka.1355/2024 sa.pa.naal 22.10.2024 by the 2nd respondent and also consider his representation dated 28.03.2025 within a time prescribed by this Court.

4. The learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the representation of the petitioner is disposed of in accordance with law. The petitioner made a representation to the respondents dated 28.03.2025 seeking for certain documents relating to the complaint.

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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



W.P.(MD).No.12491 of 2025

WEB COPY

6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 28.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

29.04.2025

NCC : Yes/No
Index : Yes / No
sm



W.P.(MD).No.12491 of 2025

WEB COPY

TO:-

1. The Cooperative Deputy Registrar,
The District Co-Operative Society,
Thoothukudi,
Thoothukudi District.

2. The Co-Operative Sub Registrar and
Section 81 Enquiry Officer,
E.E.229, Palayakayal Salt Works,
Co-Operative Production and Sale Society Limited,
Palayakayal,
Eral Taluk, Thoothukudi District.



WEB COPY



W.P.(MD).No.12491 of 2025

VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.12491 of 2025

Dated:
29.04.2025