



W.P.(MD)No.19608 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19608 of 2025

R.Chandralal

... Petitioner

-VS-

- 1.The Assistant Director of Cooperative Societies (Audit),
Office of The Assistant Director of Cooperative Societies,
Thoothukudi.
- 2.The Joint Registrar of Cooperative Societies,
Tirunelveli Region,
Tirunelveli District.
- 3.The Deputy Registrar of Cooperative Societies,
Cheranmahadevi,
Tirunelveli District.
- 4.The Special Officer,
EE434, Primary Agricultural Cooperative Credit Society Limited,
Valliyoor,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and dispose of the petitioner's representations dated 04.03.2024 and 07.07.2025 as expeditiously as possible, within the time stipulation as prescribed by this Court.



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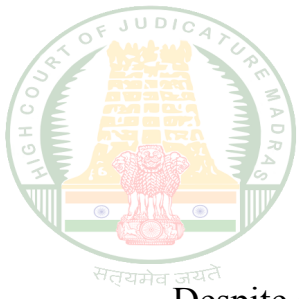
For Petitioner : Mr.S.Micheal Heldon Kumar
For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents to consider and dispose of the petitioner's representations dated 04.03.2024 and 07.07.2025 as expeditiously as possible, within a time frame stipulated by this Court.

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

3. The petitioner submits that he was employed as a 'Salesman' with the EE434, Valliyoor Primary Agricultural Cooperative Credit Society Limited on 27.05.1987 and was subsequently promoted as 'Junior Assistant', serving the Society diligently until his retirement on 30.04.2024. The petitioner is entitled to receive Staff Gratuity for the period from 1987 to 2024, which has been duly sanctioned by the Society as per its internal records. However, the authorities have erroneously omitted 10 years in the calculation of the gratuity, resulting in a shortfall of Rs.1,97,000/- (Rupees One Lakh Ninety-Seven Thousand only).



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Despite submitting a detailed representation to the first respondent on 04.03.2024 and further representations to the respondents 2 to 4 on 23.05.2025 and 07.07.2025, no action has been taken to rectify the grievance. Hence, the present Writ Petition is filed seeking appropriate directions to consider and dispose of the petitioner's representations in a time-bound manner.

4. Heard both sides.

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.



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6. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 07.07.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months 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 fourth respondent to consider the same on its own merits.

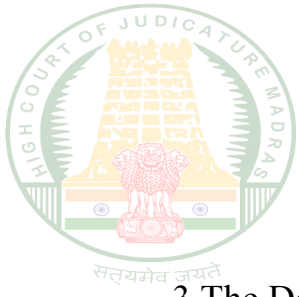
7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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21.07.2025

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VIVEK KUMAR SINGH, J.

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