

WP(MD). No.18926 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07/07/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.18926 of 2026

E.Robert

... Petitioner

Vs

1. Zonal Coordinator (Cooperative Societies),
District Collectors Office,
Nagercoil, Kanyakumari District.

2. The Deputy Registrar of Co-Operative Societies,
Thuckalay,
Kanyakumari District.

3. The Administrative Office /Special Officer,
Vilavancode Primary Agricultural Co-Operative Credit
Society Ltd., No.926, Kuzhithurai,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioners representation dated 24.07.2025 and to pay him to left his gratuity amount with 10 percentage interest, calculating from the date of petitioners appointment i.e., 05.11.1975 to 05.11.1988 and thus render justice.



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WP(MD). No.18926 of 2026

For Petitioner : Mr.G.Cenil
For Respondent : Mr.C.Jeganathan
Counsel for Government of Tamil Nadu

ORDER

This writ petition has been filed seeking writ of mandamus directing the third respondent to consider the representation dated 24.07.2025 submitted by the petitioner and to pay the left out gratuity amount with 10% interest by calculating the service rendered by the petitioner from 05.11.1975 to 05.11.1988 that is for the period prior to the date of alleged regularisation of services of the petitioner.

2. On a perusal of the affidavit filed in support of the writ petition as well as the representation dated 24.07.2025, what appears is that the petitioner claims to have started working in the third respondent Society on 05.11.1975 and services have been regularised from 01.07.1988 and the petitioner retired from service on 31.05.2010.

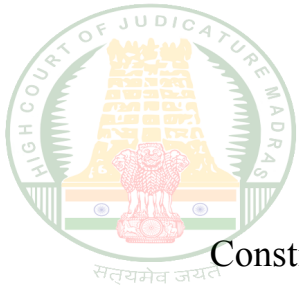
3. At the time of his retirement from service, the petitioner was paid gratuity only for the period of service rendered by the petitioner from 01.07.1988 to 31.05.2010. But, he was not paid the gratuity by



WP(MD). No.18926 of 2026

counting the service from 05.11.1975 to 01.07.1988. Absolutely, there is no material placed on record to substantiate that the petitioner was appointed on 05.11.1975 in the third respondent Society nor the regularisation order dated 01.07.1988 has been placed before this Court. It is also not seen as to on what basis the petitioner is claiming the alleged service rendered from 05.11.1975 to 01.07.1988 is required to be counted.

4. Be that as it may, the petitioner has admittedly retired from service on 31.05.2010 and for the first time the petitioner made a claim for the alleged balance gratuity for counting the service rendered by the petitioner prior to the date of regularisation only on 24.07.2025, that is after a lapse of more than fifteen years. Therefore, this Court is of the considered view that such a bald claim made by the petitioner cannot be entertained, especially, while exercising the jurisdiction of the Court under Article 226 of the Constitution of India. Even otherwise, the third respondent is only a Co-operative Society and any claim against the Co-operative Society, especially, in the absence of any violation of the statutory provision, writ petition filed under Article 226 of the



WP(MD). No.18926 of 2026

Constitution of India cannot be entertained.

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5. In the light of the above, this Court does not see any reason to entertain this writ petition and the same is accordingly dismissed. No costs.

07.07.2026

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

TO

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WEB COPY



WP(MD). No.18926 of 2026

MUMMINENI SUDHEER KUMAR,J

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WP(MD) No.18926 of 2026

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