



W.P.(MD)No.22948 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.08.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P.(MD)No.22948 of 2026 &

W.M.P.(MD)No.17106 of 2026

Jayabalan.D

... Petitioner

Vs

1.The Joint Registrar of Co-operative Societies,
Sivagangai Region,
Sivagangai.

2.The Deputy Registrar of Co-operative Societies,
Karaikudi Circle,
Sivagangai District.

3.The Sub Registrar/Special Officer,
RD.26.A Thekkur Primary Agricultural Co-operative Credit Society,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 2nd respondent vide Na.Ka.40/2021/Thova dated 18.11.2025 and to quash the same as illegal and arbitrary and consequently direct the



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respondents to avail all the terminal benefits of the petitioner along with interest at the rate of 12 percent per annum for the belated period from 30.04.2025 till date, within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.Ramanathan

For Respondents : Mr.C.Jeganathan
Special Government Pleader

ORDER

The petitioner who served as a Salesman in the third respondent Primary Agricultural Co-operative Credit Society retired from service on 30.04.2025. The petitioner, with a grievance that the retirement benefits due to him were not settled, submitted an application to the second respondent for which the second respondent replied that, due to the financial constrains of the Society, the amount due to the petitioner would be settled in instalments and the first such instalment was paid on 10.11.2025. Aggrieved by this communication of the second respondent dated 18.11.2025, the petitioner has filed this Writ Petition seeking to quash the proceedings, with a consequential direction to settle the terminal benefits due to him, together with interest at the rate of 12% per annum from the date of his retirement.



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2. Mr.C.Jeganathan, learned Special Government Pleader takes notice for the respondents.

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

4. The learned counsel appearing for the petitioner submits that the petitioner was allowed to retire on 30.04.2025. The amount mentioned in the impugned order of Rs.75,000/- is the petitioner's arrears of salary and his terminal benefits have not been settled till date. The second respondent has also not specified the dates by which the amounts would be settled to the petitioner. Therefore, he seeks a direction to the second respondent to disburse the amount within a stipulated time.

5. The learned Special Government Pleader appearing for the respondents, by referring to Section 153 of the Cooperative Societies Act, states that the remedy for the petitioner is only before the first



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respondent, the Joint Registrar of Co-operative Societies, Sivagangai Region, Sivagangai and not by way of Writ Petition. He further submits that there is no statutory provision available under the Co-operative Societies Act as to the manner in which the terminal benefits must be settled. In the absence of any statutory provision, the petitioner cannot invoke the jurisdiction of this Court under Article 226 of the Constitution of India and has to avail his remedy before the first respondent. He raised a preliminary objection as to the maintainability of the Writ Petition and he also relied upon a similar order passed by this Court in W.P.(MD)No. 10408 of 2026 dated 16.04.2026.

6. This Court has considered the rival submissions made.

7. The petitioner has served as a Salesman and was allowed to retire on 30.04.2025, and he has approached the second respondent for retirement benefits. The retirement benefits have not been denied. However, it has been informed that it would be settled in instalments. The period of instalments has not been mentioned in the impugned order.



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The learned Special Government Pleader has also raised objection on the maintainability of this Writ Petition placing reliance on the ratio laid down by this Court in W.P.(MD)No.10408 of 2026 dated 16.04.2026.

8. In view of the above, this Writ Petition is disposed of with liberty to the petitioner to submit an application before the first respondent, the Joint Registrar of Co-operative Societies, Sivagangai Region, Sivagangai, under Section 153 of the Co-operative Societies Act, within a period of two (2) weeks from the date of receipt of a copy of this order. In the event any such application is made, the same shall be considered by the first respondent within a period of eight (8) weeks from the date of receipt of the application. No costs. Consequently, connected Miscellaneous Petition is closed.

11.08.2026

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Speaking / Non-Speaking order

Index: Yes/No

NCC: Yes/No

Internet: Yes



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B.PUGALENDHI, J.

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