

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.NO.11999 OF 2015

C.Logeswaran

... Petitioner

Versus

1.The Regional Joint Registrar
of Co-operative Society
Collectorate Building,
Sathuvachari,
Vellore District.

2.The C-1317 Arakonam Co-operative Primary
Agricultural and Rural Development Bank Ltd.,
No.1, Jothi Vallar Street, Jothi Nagar,
Arakonam- 631 003.
Vellore District.
Rep. by its President

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to pay the terminal benefits together with interest totaling a sum of Rs.13,09,790/- together with accrued interest until the date of full realization based on the petitioner's representation dated 09.03.2015.

For Petitioner : Mr.T.S.Rajamohan

For Respondents: Ms.T.P.Savitha
Government Advocate

O R D E R

Heard both sides.

2.The petitioner has filed this writ petition seeking for a direction to the respondents to pay terminal benefits together

with interest totaling a sum of Rs.13,09,790/-, until the date of full realization based on his representation dated 09.03.2015.

3.The learned Government Advocate appearing for the respondents has submitted that already an order dated 22.01.2014 was passed by the second respondent granting terminal benefits and hence, the petitioner could not make such prayer.

4.At this juncture, the learned counsel for the petitioner has submitted that unauthorisedly deductions were made from provident fund and gratuity of the petitioner and the same is not permissible under law.

5.When this Court pointed out that the petitioner could challenge the aforesaid order by way of revision under Section 153 of the Tamil Nadu Co-operative Societies Act, the learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition and to file revision under Section 153 of the Tamil Nadu Co-operative Societies Act, before the concerned authority. Accordingly, the writ petition is dismissed as withdrawn.

6.The petitioner is permitted to file revision under Section 153 of the Tamil Nadu Co-operative Societies Act before the concerned authority within a period of thirty days from the date of receipt of a copy of this order and the revisional authority is directed to consider the same and pass orders, on merits and in accordance with law, within a period of three months thereafter, without reference to delay, since the petitioner has already retired from service, and the matter is relating to terminal benefits.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

TK

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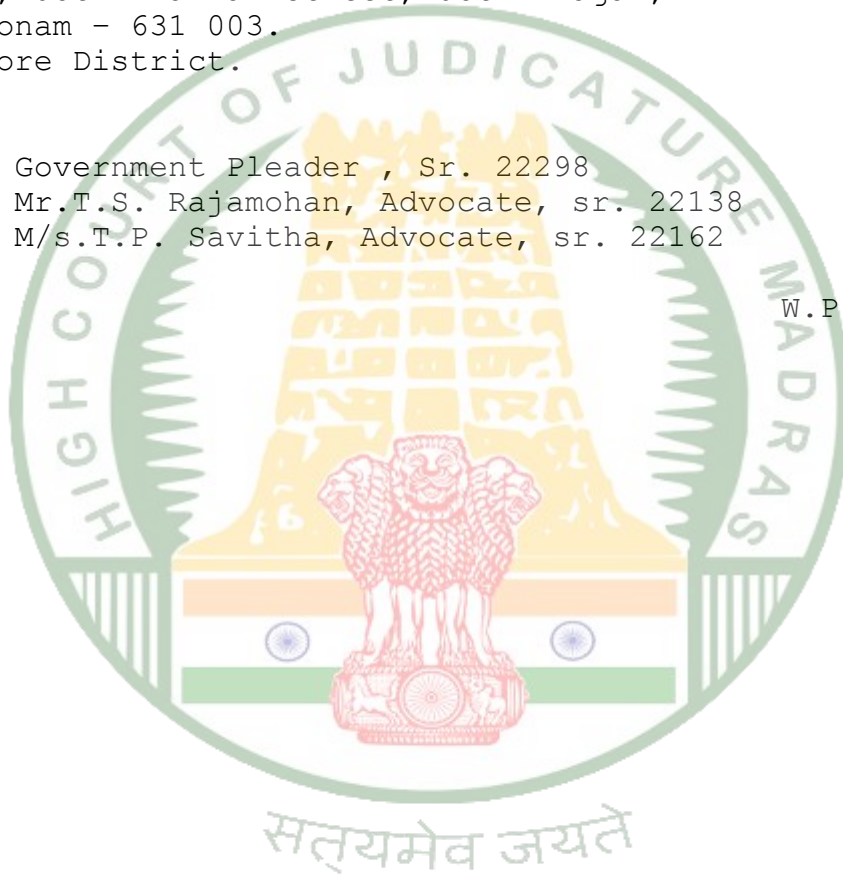
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1 cc to Government Pleader , Sr. 22298
1 cc to Mr.T.S. Rajamohan, Advocate, sr. 22138
1 cc to M/s.T.P. Savitha, Advocate, sr. 22162

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