

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.Nos.25207 and 25208 of 2015

And

M.P.Nos.1 and 1 of 2015

Shorab ....Petitioner in W.P.25207/2015

M.Vadivelu ....Petitioner in W.P.25208/2015

Vs.

Managing Director  
Namakkal Co operative Urban bank  
No.47, 49, Rangar Sannathi Street  
Namakkal 637 001.

...Respondent in both W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to settle the petitioner's terminal benefits like gratuity, provident fund and earned leave surrender, based on the representation dated 16.07.2015.

For Petitioners : Mr.C.D.Sugumar

For Respondent : Mr.E.M.S.Natarajan  
Government Advocate (Co-operative)

COMMON ORDER

By consent, the writ petitions are taken up for final disposal.

2.The petitioners were working as the Manager in the services of the respondent Bank and they were allowed to retire on 30.06.2015 and 31.05.2015 respectively, without prejudice to the criminal case

registered against them in Crime No.1 of 2014 by the Co-operative Cases Investigation Wing CID, Namakkal and on account of the same, the terminal benefits such as gratuity, provident fund and earned leave surrender have not been settled. It is further stated by the petitioners that departmental proceedings were also initiated on the same set of allegations and vide proceedings of the respondent Bank dated 17.11.2011, it has been really stated that the petitioners are nothing to do with the set of allegations and therefore exonerated from the charge.

3.Since the benefits due and payable to the petitioners have not been settled, the petitioners have made representation dated 16.07.2015 to the respondent and though it was received and acknowledged, they are yet to be favoured with any kind of response and hence, came forward to file these writ petitions.

4.Heard the submissions of Mr.C.D.Sugumar, learned counsel appearing for the petitioners and Mr.E.M.S.Natarajan, learned Government Advocate (Co-operative) who accepts notice on behalf of the respondent.

5.Though the petitioners prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the respondent to consider and dispose of the petitioners representation dated 16.07.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

6.The writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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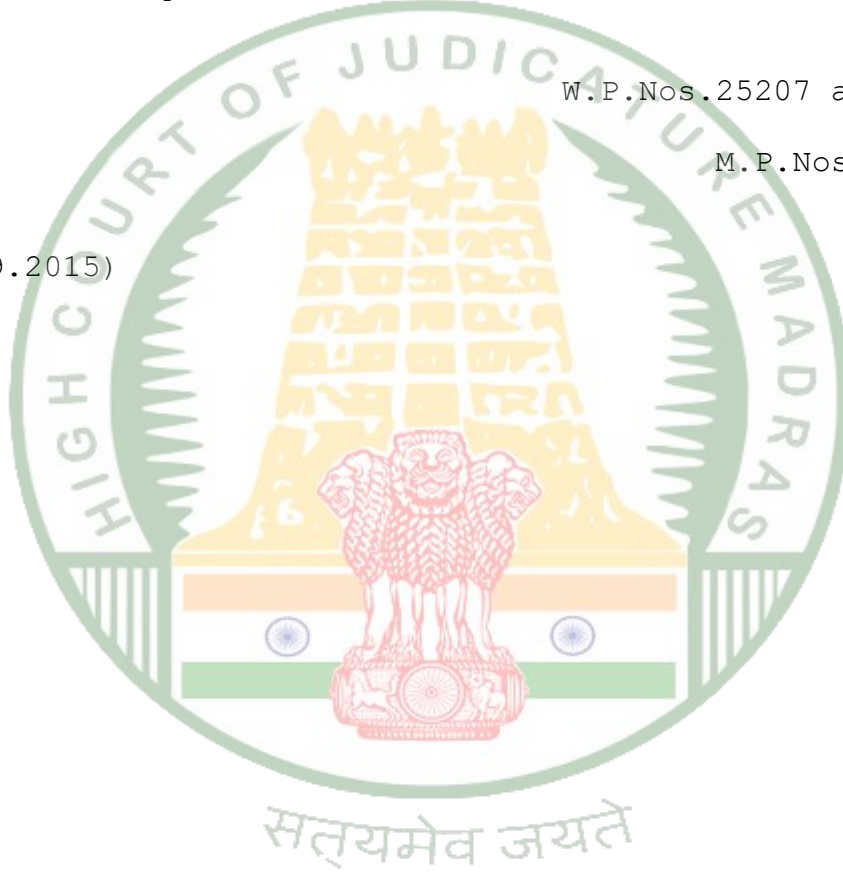
To

Managing Director  
Namakkal Co operative Urban bank  
No.47, 49, Rangar Sannathi Street  
Namakkal 637 001.

2 CCs to Mr.C.D.Sugumar, Advocate SR.No. 43063

W.P.Nos.25207 and 25208 of 2015  
And  
M.P.Nos.1 and 1 of 2015

VSN (CO)  
PSI (01.09.2015)



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