

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P. No.27828 of 2015

A.K. Thangavel

... Petitioner

Vs.

1. The Registrar of Co-operative Societies  
NVN.Maalgai, No.170 EVR Periyar Salai  
Kilpauk Chennai-600 010.

2. The Joint Registrar of Co-operative Societies  
Namakkal Region  
Collectorate Buildings Namakkal.

3. The Managing Director  
Tiruchengode Co-operative Urban Bank Ltd.  
Tiruchengode  
Namakkal District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the petitioner's retirement benefits of Provident fund (Employer Contribution) together with interest at the rate of 13% p.a. from the date of retirement till date of payment.

For Petitioner : Mr.C.S.Saravanan  
For Respondents : Mr.E.M.S.Natarajan,  
Govt. Advocate - for R1 & R2  
Mr.L.P.Shanmuga Sundaram  
Spl. Govt. Pleader - for R3

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner retired from the services of the respondent, viz., Tiruchengode Co-operative Urban Bank Ltd. as 3<sup>rd</sup>

Assistant Manager on 30.06.2006. The grievance expressed by the petitioner is that though he has been allowed to retire on 30.06.2006, the retirement benefits such as Provident fund and earned leave salary alone been paid and the Gratuity Provident Fund in respect of bank contribution and other service benefits are not yet paid. The petitioner, in this regard, has also submitted a representation dated 22.07.2015 and though it was acknowledged on 23.7.2015, he has not been favoured with any kind of order. Hence, he came forward to file this writ petition.

3. Mr.C.S.Saravanan, learned counsel appearing for the petitioner, submitted that the Joint Secretary of Co-operative Society ( Finance and Banks), Chennai, addressed a communication to the Joint Registrar of Co-operative Societies, Namakkal Region, directing them to act on the representation dated 20.07.2015 submitted by the petitioner and in spite of the same, Gratuity and Provident Fund in respect of bank's contribution and other service benefits have not been paid to the petitioner and hence, he prays for appropriate orders.

4. This Court heard the submissions of Mr.E.M.S.Natarajan, learned Government Advocate, who accepts notice for the respondents 1 and 2 and Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader, who accepts notice for the 3<sup>rd</sup> respondent.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the 3<sup>rd</sup> respondent to consider the petitioner's representation dated 20.07.2015 and pass orders on merits and in accordance with law, after taking note of the communication from the Joint Secretary of Co-operative Society ( Finance and Banks), Chennai vide Na.Ka.No.48955/2015/na.va.3, dated 10.08.2015, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Registrar of Co-operative Societies  
NVN.Maaligai, No.170 EVR Periyar Salai  
Kilpauk Chennai-600 010.
2. The Joint Registrar of Co-operative Societies  
Namakkal Region  
Collectorate Buildings Namakkal.
3. The Managing Director  
Tiruchengode Co-operative Urban Bank Ltd.  
Tiruchengode  
Namakkal District.
4. The Joint Secretary of Cooperative Society,  
(Finance & Banks),  
Chennai.

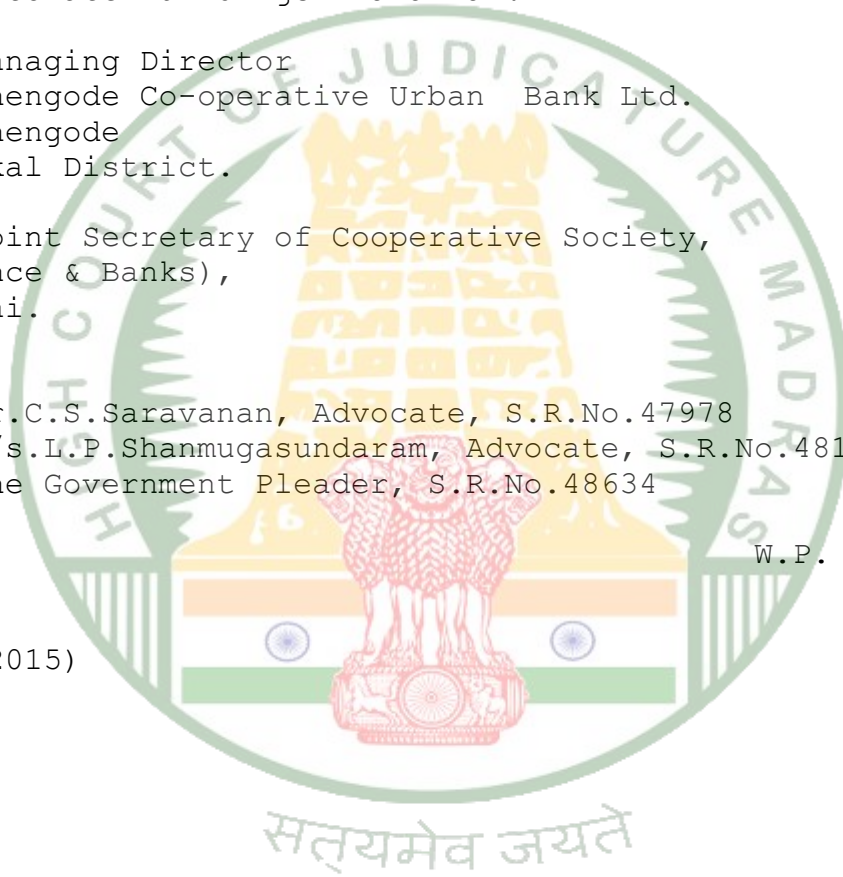
+1cc to Mr.C.S.Saravanan, Advocate, S.R.No.47978

+1cc to M/s.L.P.Shanmugasundaram, Advocate, S.R.No.48154

+1cc to the Government Pleader, S.R.No.48634

W.P. No.27828 of 2015

SKV(CO)  
CA(28/09/2015)



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