

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29868/2015 & MP.No.1/2015

S.Boovaragasamy

..

Petitioner

Versus

1. The Assistant Director of Handlooms and Textiles
O/o.the Assistant Director of Hand Looms &
Textiles, No.6, Pakthapuri Street, Kumbakonam-1
Tanjore District.
2. The Managing Director,
Sengundapuram Sir Sundaravinayagar Handloom
Weavers Coop. Production & Sales Society Ltd.,
No.R.998, Sengundapuram-621802, Jayamkondam
Via, Udayarpalayam Taluk, Ariyalur District.
3. The Managing Director,
Sengundapuram Sir Sundaravinayagar Handloom
Weavers Coop. Production & Sales Society Ltd.,
TR[H] 139, Sengundapuram-621802, Jayamkondam
Via, Udayarpalayam Taluk, Ariyalur District...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to dispose the written representation made by the petitioner on 02.09.2015 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram
Spl.GP [Coop. Societies]

ORDER

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

2 The petitioner, while working as Manager in the services of the 3rd respondent/Society, was suspended from service on 23.08.2012 and though, he has attained the age of superannuation on 30.09.2012, he was not permitted to retire from service and was continued to be kept under suspension and the subsistence allowance has also not been

paid to him. The respondents had initiated proceedings u/s.87[1] of the Tamil Nadu Cooperative Societies Act, 1983 and the same was put to challenge by the petitioner in WP.No.305/2015 and the writ petition has been entertained and it is pending disposal. The property belonging to the petitioner's wife were also attached and it was once again put to challenge in WP.No.9409/2014 and the same is also pending. The grievance now expressed by the petitioner is that the respondents did not give the subsistence allowance or retiral benefits. In this regard, the petitioner submitted a representation dated 02.09.2015 to the 1st respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Co-operative] who accepts notice on behalf of the respondents.

4 This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's appeal petition dated 02.09.2015 on merits and in accordance with law 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.

5 The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

AP

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

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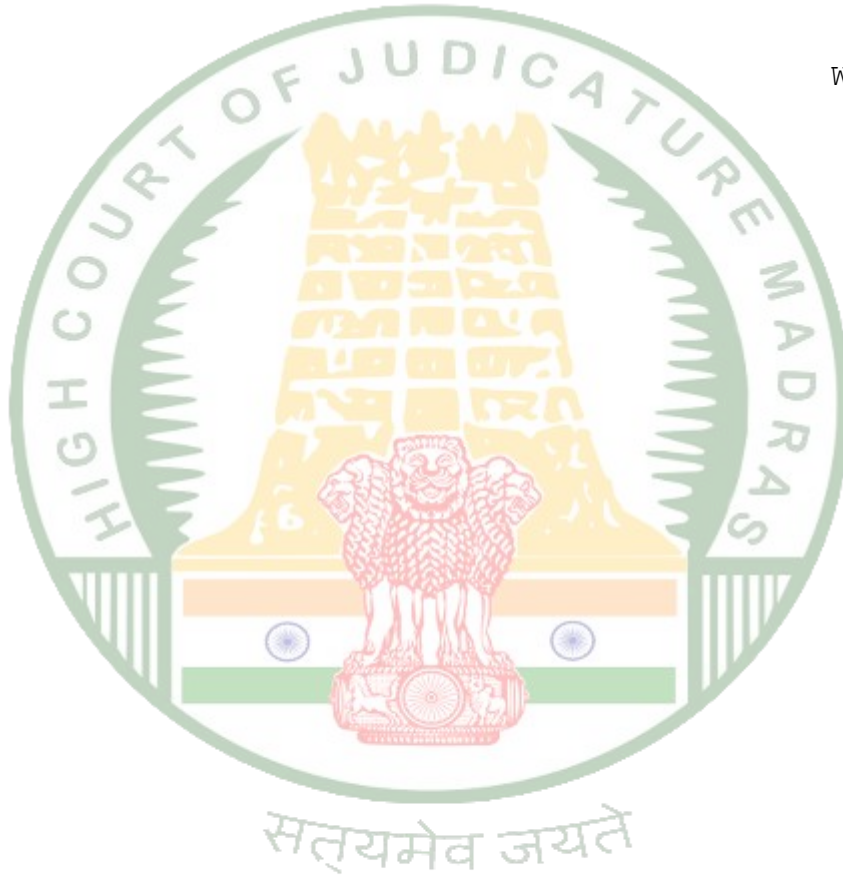
+ 1 cc to Mr.L.P.Shanmugasundaram, Advocate SR 52243

+ 1 cc to Govt.Pleader SR 52143

+ 1 cc Mr.C.Prakasam, Advocate SR 52515

kji(co)
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