



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2015

Coram

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.19179 of 2015

T.Veeravinothan

:Petitioner

Vs.

The Managing Director,
The Central Co-operative Bank Ltd.,
Thanjavur

: Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondent to disburse the Earned Leave Encashment Benefits immediately, based on the petitioner's representation, dated 31.08.2015, within the time limit that may be stipulated by this Court.

For Petitioner :Mr.G.M.Xavier

For Respondents :Mr.T.R.Janarthanan
Additional Govt.PleaderO R D E R

The petitioner, who was working as a General Manager of the respondent, the Central Co-operative Bank Ltd., Thanjavur, was dismissed from service, as per the proceedings in Na.Ka.No.846/02, dated 27.01.2010, challenging the same, the petitioner has filed W.P.(MD) No.2632 of 2010 unsuccessfully and the same was dismissed on 18.11.2010, directing the petitioner to approach the appropriate forum. Subsequently, the petitioner has filed a revision petition under Section 153 of Tamil Nadu Co-operative Societies Act, 1983. On 18.10.2013, the petitioner's Revision Petition was also disposed of by confirming the dismissal order. Thereafter, the petitioner approached the respondent to grant his terminal benefits for earned leave of 138 days and the equivalent amount that works out to Rs.2,28,128/-. His further representation, dated 31.08.2015 to the respondents to grant his terminal benefits for earned leave for 138 days, it appears, not disposed of. Therefore, the petitioner has come to this Court.



2. Again this Court has to dismiss the Writ Petition, since no Writ will lie against the respondent as the petitioner has to approach the competent authority. Therefore, in the light of the larger bench judgment of this Court in **(K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal-636 001 and another)** reported in (2006 (4) CTC 689) the writ petition fails and the same is dismissed. It is open to the petitioner to approach the appropriate forum. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

The Managing Director,
The Central Co-operative Bank Ltd.,
Thanjavur

+1CC to The Special Government Pleader SR.No. 62528.

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AM/18.11.2015/KBM/2P/3C