

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.14637 of 2016 and
W.M.P. Nos.12801 and 12802 of 2016

M.Joseph Antony Raj

.. Petitioner

-vs-

1.The Joint Registrar of
Co-operative Societies,
Erode Region, Erode,
Erode District.

2.The Deputy Registrar of
Co-operative Societies,
Erode Circle, Erode,
Erode District.

3.The President,
AA 511, Kandappa Goundenvalasu Primary
Agricultural Co-operative Society,
K.G.Valasu & Post,
Perundurai Taluk, Erode District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus, calling for the entire records relating to the impugned order passed by the second respondent in Na.Ka.4853/2014/Tho.Vae.Sa. dated 30.03.2015 and quash the same and consequently directing the respondents to disburse the entire retirement benefits of the petitioner including gratuity, provident fund and earned leave benefits to the petitioner.

For Petitioner : Ms.L.Karthika

For Respondents: Mr.D.Venkatachalam
Government Advocate

O R D E R

This writ petition has been filed by the petitioner M. Joseph Antony Raj, challenging the impugned order passed by the second respondent in Na.Ka.4853/2014/Tho.Vae.Sa. dated 30.03.2015 and directing the respondents to disburse the entire retirement benefits i.e. gratuity, provident fund and earned leave benefits to him.

2. Learned counsel appearing for the petitioner would submit that the petitioner after appointed as Attender on 15.03.1975 in the third respondent Society, was promoted as Clerk and subsequently promoted as Senior Clerk and finally he was promoted as Secretary. While he was discharging his duties as Secretary, he has been issued with the disciplinary proceedings dated 30.03.2015 by the Deputy Registrar of Co-operative Societies/the second respondent herein. Subsequently, he was permitted to retire from service on 31.03.2015 on the ground that there is no criminal case pending against him. The grievance of the petitioner is that though he was retired from service on 31.03.2015, the retirement benefits i.e. gratuity, provident fund and earned leave benefits, have not been till date settled by the respondents. In this regard, the petitioner has given a representation dated 15.04.2016. As the same has not been considered, he is before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

4. Learned Government Advocate appearing on behalf of the respondents sought two weeks time to consider the petitioner's representation.

5. As the petitioner was permitted to retire from service on 31.03.2015, his representation seeking retirement benefits, deserves to be considered by the respondents. Therefore, the respondents are directed to consider the petitioner's representation dated 15.04.2016 and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs. Consequently, connected W.M.Ps are closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Joint Registrar of
Co-operative Societies,
Erode Region, Erode,
Erode District.

2.The Deputy Registrar of
Co-operative Societies,
Erode Circle, Erode,
Erode District.

3.The President,
AA 511, Kandappa Goundenvalasu Primary
Agricultural Co-operative Society,
K.G.Valasu & Post,
Perundurai Taluk, Erode District.

1 cc to Mr.D.Venkatachalam, Advocate, sr.24738

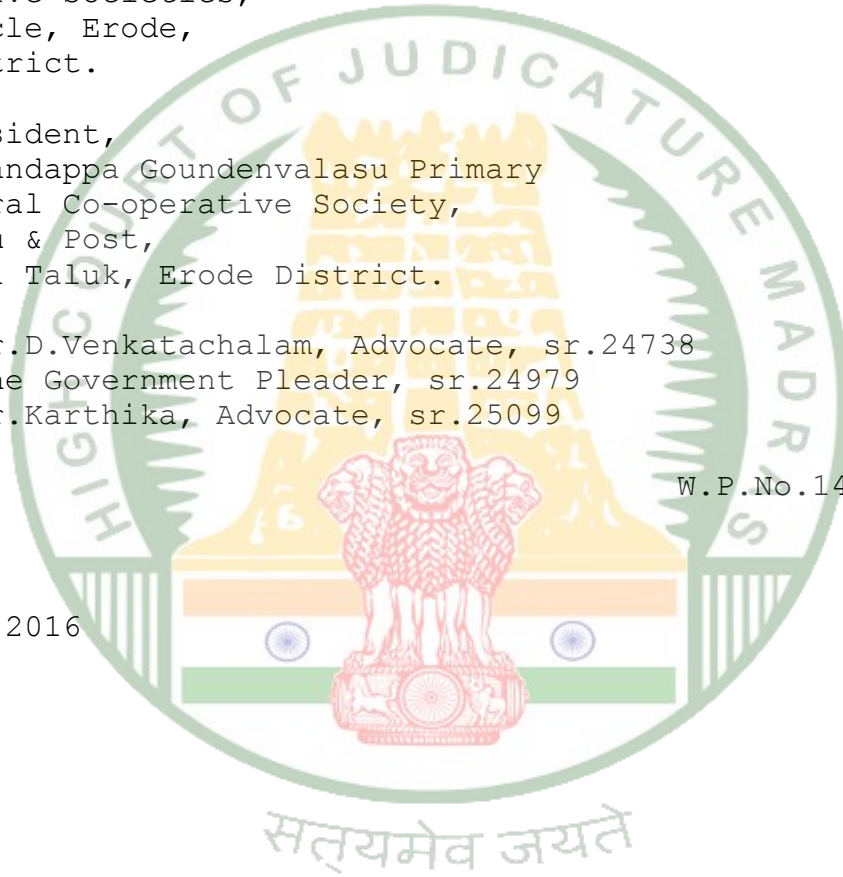
1 cc to The Government Pleader, sr.24979

1 cc to Mr.Karthika, Advocate, sr.25099

W.P.No.14637 of 2016

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kra 25.05.2016



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