

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.34435 of 2016

R.Selvaraj

... Petitioner

vs.

1. Pasumbalur Primary Agriculture Co-operative Society, Pasumbalur Post, Veepanthatai Taluk, Perambalur District, by its President

2. The Joint Registrar, Co-operative Societies, Perambalur District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to pay the Provident Fund and Gratuity and other benefits of Rs.6,77,478/- with 12% interest till date of payment to the petitioner.

For Petitioner : Mr.SMuthukrishnan

For Respondents : Mr.L.P.Shanmugha Sundaram,
Spl.G.P. (Co-op)

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to pay the Provident Fund and Gratuity and other benefits of Rs.6,77,478/- with 12% interest till date of payment to the petitioner.

2. The case of the petitioner is that he was appointed as Assistant in the Thiruchirappalli District Central Co-operative Bank Limited by the Joint Registrar-cum-Managing Director in his Proceedings in No.184/09-010 (A1) dated 03.08.2013. The 1st respondent Society relieved him from the Society in Resolution dated 03.08.2013 and thereafter, he joined the Tiruchirappalli

District Central Co-operative Bank as Assistant after receipt of the order. According to the petitioner, he is entitled to receive Provident Fund, Gratuity and other benefits from the 1st respondent society for the services rendered by him. So, he submitted several applications. The Deputy Registrar of Co-operative Society, Perambalur, in his Proceedings No.NaKa600/2016/VESESA(1) dated 11.12.2015 passed an order directing the 1st respondent to pay all his Provident Fund, Gratuity and other benefits immediately. But the same has not been complied with by the 1st respondent so far. Therefore, the petitioner once again submitted a representation to the Deputy Registrar, Co-operative Society, Perambalur to pay the monetary benefits to the petitioner by his letters dated 11.12.2015, 03.02.2016 and 22.04.2016. In spite of the same, the 1st respondent has not settled the monetary benefits to the petitioner. Hence the present Writ Petition.

3. Heard the learned Counsel for the petitioner and the learned Counsel who takes notice for the respondents.

4. Considering the facts and circumstances of the case, this Court is of the view that no positive direction as sought for by the petitioner could be given in this Writ Petition. However, this Court directs the petitioner to give a fresh representation to the respondents narrating his grievance along with a copy of this Order within a period of two weeks from the date of receipt of a copy of this Order and on receipt of the same, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar

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Sub Assistant Registrar

tsi

To

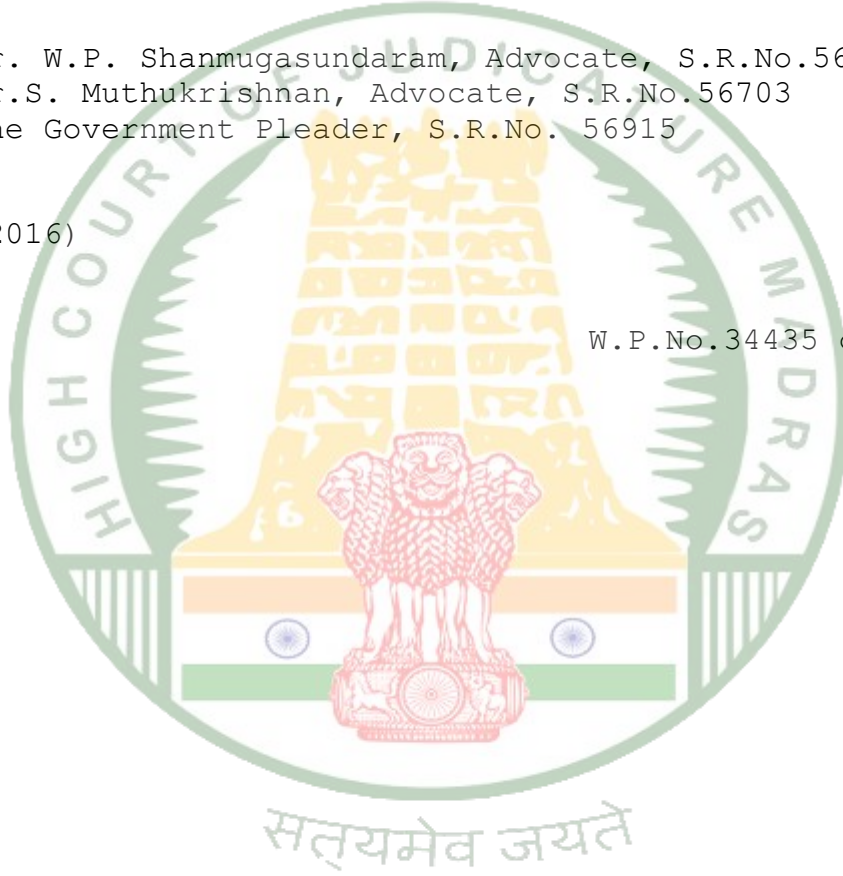
1. The President,
Pasumbalur Primary Agriculture Co-operative
Society, Pasumbalur Post,
Veepanthatai Taluk,
Perambalur District,

2. The Joint Registrar,
Co-operative Societies,
Perambalur District.

+1cc to Mr. W.P. Shanmugasundaram, Advocate, S.R.No.56902
+1cc to Mr.S. Muthukrishnan, Advocate, S.R.No.56703
+1cc to the Government Pleader, S.R.No. 56915

ctk (CO)
md (8/11/2016)

W.P.No.34435 of 2016



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