

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.43046/2016

V.Deivanayagam

.. Petitioner

Vs

1.The Registrar of Cooperative Societies
O/o.The Registrar of Cooperative
Societies, No.170, Periyar EVR High
Road, Kilpauk, Chennai 600 010.

2.The Deputy Registrar of Cooperative
Tirunelveli-7.

3.The Joint Registrar of Cooperative
Societies, Tirunelveli-7.

4.The Chief Educational Officer
Tirunelveli.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to consider and pass orders on the petitioner's representation dated 15.04.2014 made to cancel the order passed in Na.Ka.No.199/2013/Nava, dated 13.03.2014 and to return the amount recovered from the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Kamaraj

For Respondents: Mr.L.P.Shanmugasundaram
Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner, while working as Superintendent in the office of the Chief Educational Officer, Tirunelveli, had availed two loans from the Tirunelveli-Tuticorin District Government Teachers and Education Department Staff Cooperative and Thrift Society Limited in Account No.6250 for a sum of Rs.20,000/- and in Account No.6377 for a sum of Rs.12,000/- and subsequently, faced departmental proceedings and according to the petitioner, he got exonerated and also permitted to retire from service on 31.12.2012. The grievance expressed by the

is that the gratuity has been withheld on account of the arrears due and payable for the above said loan accounts. The petitioner, in this regard, has also submitted repeated representations and last of such representation was submitted on 15.04.2014 and despite the receipt and acknowledgment, no orders have been passed and hence, came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief of directing the respondents herein to settle the gratuity and other dues, this Court is of the view that it would be suffice to permit the petitioner to submit a detailed representation to the Tirunelveli-Tuticorin District Government Teachers and Education Department Staff Cooperative and Thrift Society Limited and upon receipt of the same, to direct the said Society to consider the said representation on merits and in accordance with law and to appropriate orders within a stipulated time.

5 Accordingly, the petitioner is directed to submit a fresh representation to the Tirunelveli-Tuticorin District Government Teachers and Education Department Staff Cooperative and Thrift Society Limited for the settlement of the gratuity and other terminal benefits, if any within a period of two weeks from the date of receipt of a copy of this order and the Tirunelveli-Tuticorin District Government Teachers and Education Department Staff Cooperative and Thrift Society Limited, on receipt of the same, is directed to consider and dispose of the same on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

AP

To

1.The Registrar of Cooperative Societies
O/o.The Registrar of Cooperative
Societies, No.170, Periyar EVR High
Road, Kilpauk, Chennai 600 010.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Deputy Registrar of Cooperative
Tirunelveli-7.

3.The Joint Registrar of Cooperative
Societies, Tirunelveli-7.

4.The Chief Educational Officer, Tirunelveli.

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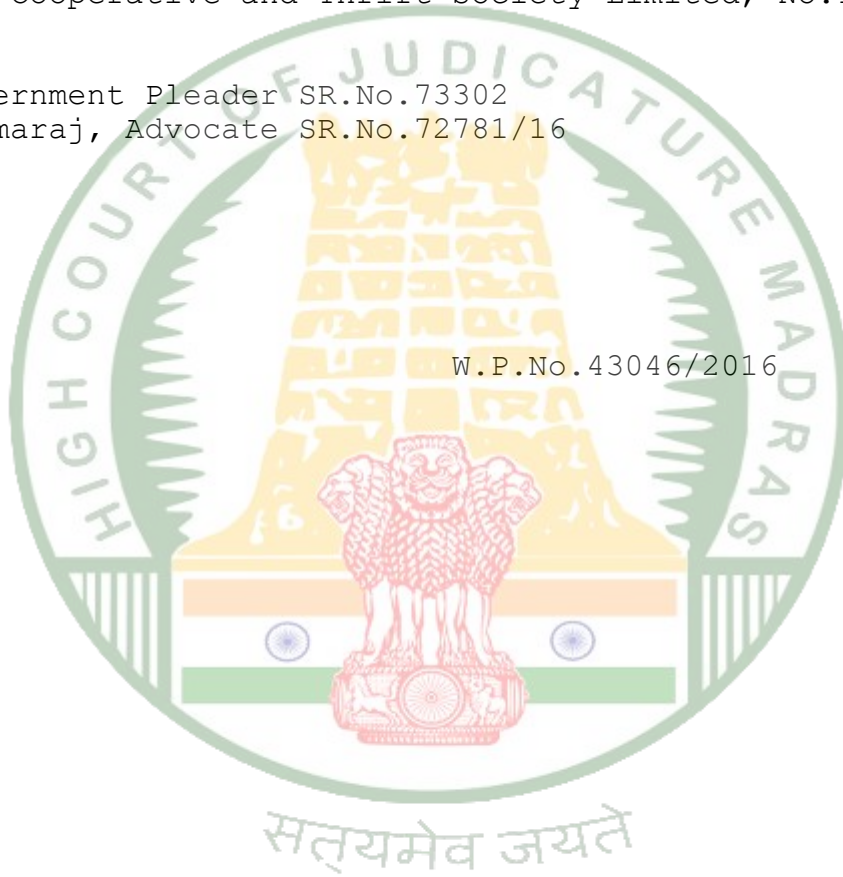
Tirunelveli-Tuticorin District Government Teachers and Education
Department Staff Cooperative and Thrift Society Limited, No.TT-71,
Tirunelveli-3.

+1 CC to The Government Pleader SR.No.73302

+1 CC to Mr.R.Kamaraj, Advocate SR.No.72781/16

CO-SV

ths : 30.12.2016



W.P.No.43046/2016

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