

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.4567 of 2016

T.Sivanandam

... Petitioner

Vs.

- 1.The Secretary,  
ZA.72, Thappalampuliyur Primary  
Agricultural Co-operative Bank Ltd.,  
Thappalampuliyur,  
Thiruvarur Taluk,  
Thiruvarur District-610 106.
  - 2.The Registrar of Co-operative Societies,  
No.170, N.V. Natarajan Maaligai,  
Poonamallee High Road,  
Kilpauk, Chennai-600 010.
  - 3.The Joint Registrar (Co-Operative Societies),  
Thiyagarajapuram Agraharam  
(Near Lakshmi Narayan Co-Op. Bank),  
Thiruvarur-610 001.
  - 4.The Deputy Registrar (Co-Operative Societies),  
Old Nagai Salai  
(Near Lakshmi Narayan Co-Op. Bank),  
Thiruvarur-610 001.
- ... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to settle and to disburse the petitioner's arrears of salary from June 2006 to August 2010 and other superannuation benefits like pension, provident fund and gratuity forthwith.

For Petitioner : Ms.R.Divya Priya  
For Respondents : Mr.D.Venkatachalam  
Government Advocate (Co-Op.,)

O R D E R

This writ petition has been filed by the petitioner seeking a Writ of Mandamus, directing the first respondent to settle and to disburse his arrears of salary from June 2006 to August 2010 and other superannuation benefits like pension, provident fund and gratuity.

2.Heard Ms.R.Divya Priya, learned counsel for the petitioner and Mr.D.Venkatachalam, learned Government Advocate for the respondents.

3.The petitioner was appointed in Thappalampuliyur Primary Agricultural Co-operative Bank Ltd., as a Salesman on daily wages basis on 27.10.1989 and retired from service on 10.08.2010. The grievance of the petitioner is that the respondents till date have not settled his arrears of salary and other retirement benefits like pension, provident fund and gratuity. Therefore, he has given a representation dated 08.10.2015. As the same is not considered till date by the respondents, he has come forward with the present writ petition.

4.The learned counsel for the petitioner submitted that since the petitioner after making the representation on 08.10.2015 was hospitalised for more than three months and his wife is also suffering from other ailments, he was not able to come to this Court in time.

5.This Court is not able to consider the prayer sought for by the petitioner in this writ petition to give a direction to the first respondent/Secretary, Thappalampuliyur Primary Agricultural Co-operative Bank Ltd., Thappalampuliyur, Thiruvarur, as the same is not legally maintainable by the ratio laid down by the Hon'ble Full Bench of this Court in K.Marappan Vs. Deputy Registrar of Co-operative Societies, Namakkal reported in 2006 (4) CTC 689. Therefore, the writ petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

DP

WEB COPY

To

1.The Secretary,  
ZA.72, Thappalampuliyur Primary  
Agricultural Co-operative Bank Ltd.,  
Thappalampuliyur,  
Thiruvarur Taluk,  
Thiruvarur District-610 106.

2.The Registrar of Co-operative Societies,  
No.170, N.V. Natarajan Maaligai,  
Poonamallee High Road,  
Kilpauk, Chennai-600 010.

3.The Joint Registrar (Co-Operative Societies),  
Thiyagarajapuram Agraharam  
(Near Lakshmi Narayan Co-Op. Bank),  
Thiruvarur-610 001.

4.The Deputy Registrar (Co-Operative Societies),  
Old Nagai Salai  
(Near Lakshmi Narayan Co-Op. Bank),  
Thiruvarur-610 001.

+1cc to Mr.D. Venkatachalam, Advocate, S.R.No.8108

+1cc to Mr.R. Divya Priya, Advocate, S.R.No.7969

SKV(CO)  
EU(24/02/2016)

सत्यमेव जयते

W.P.No.4567 of 2016

WEB COPY