

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.9455 of 2016

R.John Bosco

.. Petitioner

vs.

1.The Registrar of Cooperative Societies (Housing),
Gandhi Nagar,
Adyar, Chennai-20.

2.The Deputy Registrar of Cooperative
Societies (Housing),
Virudhunagar Zone,
Virudhunagar District.

3.The Secretary,
MDA, HSG,
103, Thiruppattur Taluk Coop. Housing Society (Ltd.,)
Thiruppattur,
Sivaganga District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 01.04.2014 and pass orders in regard to the petitioner's retirement benefits along with interest within a reasonable time.

For Petitioner : M/s.G.Elanchezhiyan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Govt. Pleader (Co. Op)

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 01.04.2014 and pass orders with regard to the petitioner's retirement benefits along with interest within a reasonable time.

2. The petitioner was initially appointed as a Clerk on 23.7.1979 under the third respondent Society and was promoted as a Secretary on 18.05.2001 and on attaining the age of superannuation, he was allowed to retire from service on 31.01.2013. After his retirement, the petitioner was paid with EPF amount of Rs.3,75,000/-, Security Deposit of Rs.18,699/- and arrears of salary of Rs.30,000/-.

Thereafter, he was not paid the following retirement benefits:

1.EPF amount (Employees Contribution + Management Contribution)	Rs.12,98,003/-
2.Gratuity	Rs.5,00,000/-
3.Earned Leave Salary	Rs.40,000/-
4.19 months salary	Rs.5,60,760/-

In this regard, the petitioner sent repeated representations and his last representation was on 01.04.2014 and since no response was forthcoming, came forward with this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner, Mr.L.P.Shanmugasundaram, learned Special Government Pleader (Cooperative Societies) appearing for the respondents and also perused the materials placed before it.

4. This Court, without going into the merits of the petitioner's representation, directs the petitioner to submit a fresh representation along with a copy of this order to the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, shall consider and dispose of the same on merits and pass orders in accordance with law within a period of four weeks thereafter.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jvm

To

- 1.The Registrar of Cooperative Societies (Housing),
Gandhi Nagar,
Adyar, Chennai-20.
- 2.The Deputy Registrar of Cooperative Societies (Housing),
Virudhunagar Zone,
Virudhunagar District.

+1 CC to M/S.G.Ilanchezhiyan, Advocate SR.No.53736

+1 CC to M/S.L.P.Shanmugasundaram, Advocate SR.No.53694

CO-SAI

ths : 24.10.2016

W.P.No.9455 of 2016



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