



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22034 of 2016

Shanmugam

... Petitioner

vs.

1)The Joint Registrar of Co-operative Societies,
Thanjavur Region,
Thanjavur.

2)The Deputy Registrar of Co-operative Societies,
Pattukkottai Post & Taluk,
Thanjavur.

3)The President,
T.A.73, Thiruchitrambalam,
Thuravikkadu Primary Co-operative Bank Ltd.,
Thiruchitrambalam,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the terminal benefits of the petitioner with 18% interest per annum at once.

For Petitioner	: Mr.AP.Ganapathi Subrmanian
For R1 & R2	: Mr.A.Muthukaruppan
	Additional Government Pleader

ORDER

This Writ of Mandamus has been filed, seeking for a direction to the respondents, to settle the terminal benefits of the petitioner with 18% interest per annum at once.

2.The petitioner was appointed as Clerk on 31.01.1972 in the 3rd respondent Co-operative society. He was due to retire on 30.04.2005. Due to some lapse in the copra scheme, he was not permitted to retire. Subsequently, the Registrar of Co-operative Societies, Chennai, has passed an order dated 05.03.2015, directing the Regional Joint Registrars, to drop the action initiated against the employees under the copra scheme.



Thereafter, the 1st respondent, by order, dated 22.04.2016, directed the 3rd respondent to permit the petitioner to retire and to disburse his retirement benefits. Even though the 1st respondent instructed the 3rd respondent to drop further action against the petitioner on 22.04.2016, the order permitting him to retire from 30.04.2005, has been passed by the 3rd respondent only on 08.06.2016.

3.It is the grievance of the petitioner that even after the order dated 08.06.2016, his retirement benefits have not been paid and therefore, the same must be ordered to be paid with appropriate interest.

4.Under such circumstances, the 3rd respondent is directed to disburse all the retirement benefits of the petitioner, within a period of two months from the date of receipt of a copy of this order. It is made clear that if the retirement benefits is not settled, it shall carry interest at 9% from the date on which, the petitioner was permitted to retire i.e., on 08.06.2016.

With the above direction, this Writ Petition stands disposed of. No costs.

sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

nbi

To

1)The Joint Registrar of Co-operative Societies,
Thanjavur Region,
Thanjavur.

2)The Deputy Registrar of Co-operative Societies,
Pattukkottai Post & Taluk,
Thanjavur.

+1CC to Mr.P.Ganapathi Subramanian, Advocate Sr.No.70085

+1CC to Spl.Government Pleader Sr.No.70271

GJM/DB/30.11.16-2p-5C

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