



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.02.2016

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.3157 of 2016

S.Ganesan

... Petitioner

Vs.

1.The President,  
Sakthivel,  
Primary Agricultural Co-operative Credit Society Ltd.,  
T.N.S.P.L 99,  
Chennikulam,  
Sankarankovil Taluk,  
Tirunelveli District.

2.Secretary,  
Malliga,  
Primary Agricultural Co-operative Credit Society Ltd.,  
T.N.S.P.L 99,  
Chennikulam,  
Sankarankovil Taluk,  
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the retirement benefits of the petitioner, who got retirement on 31.03.2015 with interest at the rate of 18% within the time stipulated by this Court.

For Petitioner : Mr.D.R.Murugesan

For Respondents : Mr.T.R.Janarthanam,  
Additional Government Pleader

ORDER

Mr.T.R.Janarthanam, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner aggrieved by non-payment of his retirement benefits, has moved this Writ of Mandamus.

4. The petitioner claims to be retired on 31.03.2015 on reaching the age of superannuation. The respondents gave a cheque for Rs.1,38,312/-, which was post dated, for the retirement benefits of the petitioner. The said cheque was dishonoured when it was presented for collection. The cheque was presented for second time, again it was dishonoured for want of sufficient funds. On a legal notice issued to the petitioner on 29.10.2015, he was asked to return the cheque and collect the amount in

person. However, the respondents have made the petitioner to run from pillar to post for settling his lawful entitlement. The petitioner has also stated that an employee, who retired from the respondent society subsequently, received his retirement benefits.

5. In the light of the above facts, the respondents are directed to pay the retirement benefits of the petitioner, who retired from service on 31.03.2015, within a period of four weeks from the date of receipt of a copy of this order, failing which, the petitioner is entitled to get 9 % interest per annum till the date of payment.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-  
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar.

To

1.The President,  
Sakthivel,  
Primary Agricultural Co-operative Credit Society Ltd.,  
T.N.S.P.L 99,  
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Sankarankovil Taluk, Tirunelveli District.

+1CC to Mr.D.R.Murugesan, Advocate, SR.No. 8777

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AM/22.02.2016/JGB.DP/SAR-I/2P/4C