

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8732 of 2017

K.Munirathinam .. Petitioner

-vs-

1. The Registrar of Cooperative Societies
NVN Natarajan Maligai
170, EVR Periyar Salai
Kilpauk, Chennai 600 010
2. The Joint Registrar of Cooperative Societies
(Finance and Banking)
Office of the Registrar of Cooperative Societies
NVN Natarajan Maligai
170, EVR Periyar Salai
Kilpauk, Chennai 600 010
3. The Joint Registrar of Cooperative Societies
Collectorate office, Sathuvacheri
Vellore-9 and Vellore District
4. C2582 Sembedu Primary Agricultural Cooperative
Credit Society rep.by President/Special Officer
Sembedu Village and Post, Gudiyatham Taluk
Vellore Taluk .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents herein to settle the petitioner's terminal benefits of Employees Provident Fund for a sum of Rs.5,01,214.00, Gratuity for a sum of Rs.1,17,635.90, 240 days surrender of earned leave for a sum of Rs.1,31,352.00, subsistence allowance due from 25.02.2002 to 30.03.2004 for a sum of Rs.1,04,547.00 and revised pay scale arrears from 01.04.2008 to 31.01.2010 for a sum of Rs.98,605.00 and a total sum of Rs.9,53,353.90 (Rupees Nine Lakhs Fifty Three Thousand Three Hundred Fifty Three and paise Ninety only) with interest at 18% in pursuance of the petitioner's representations dated 27.04.2012, 25.06.2012, 06.09.2014 and 09.03.2015 and as per the directions given by second respondent to the third respondent on 05.01.2015, within a stipulated time fixed by this Hon'ble Court.

For Petitioner :: Mr.K.A.Ravindran

For Respondents:: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

The petitioner, aged about 64 years, after serving as Salesman in the fourth respondent society, namely, C2582 Sembedu Primary Agricultural Cooperative Credit Society, Gudiyatham Taluk and after retiring from service with effect from 30.6.2011 in the post of Secretary, has given number of representations to the third respondent to settle his terminal benefits, namely, Employees Provident Fund for a sum of Rs.5,01,214.00, Gratuity for a sum of Rs.1,17,635.90, 240 days surrender of earned leave for a sum of Rs.1,31,352.00, subsistence allowance due from 25.02.2002 to 30.03.2004 for a sum of Rs.1,04,547.00 and revised pay scale arrears from 01.04.2008 to 31.01.2010 for a sum of Rs.98,605.00, totalling a sum of Rs.9,53,353.90. But the same have not been considered. However, on 5.1.2015, the Joint Registrar of Cooperative Societies (Finance and Banking), Chennai, the second respondent herein has directed the Joint Registrar of Cooperative Societies, Vellore, the third respondent herein to consider the case of the petitioner and report back about the further development. But till date, even after expiry of two long years, the retiral benefits of the petitioner have not been disbursed. Therefore, he has been advised to come to this Court.

2. Mr.L.P.Shanmughasundaram, learned Special Government Pleader, taking notice on behalf of the respondents, sought time to take instructions.

3. But this Court is not inclined to grant any more time. When the second respondent had already directed the third respondent vide his letter dated 5.1.2015 to consider the case of the petitioner and even after a period of two long years, nothing has been done, this Court hereby directs the third respondent to disburse the retiral benefits to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

ss

To

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4. The President/Special Officer
C2582 Sembedu Primary Agricultural Cooperative
Credit Society
Sembedu Village and Post
Gudiyatham Taluk
Vellore Taluk

+1cc to Mr.L.P.Shanmugasundaram,Advocate sr.22405

+1cc to Mr.K.A.Ravindran,Advocate sr.22610

+1cc to Government Pleader sr.23274

W.P.No.8732 of 2017

vsn(co)
ss(21/4/2017)

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