

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.33104 and 33105 of 2017

C.V.G.Ramanathan .. Petitioner in W.P.No.33104/17  
R.Rajendran .. Petitioner in W.P.No.33105/17

Vs

- 1.The Registrar of Cooperative Societies,  
V.N.Natarajan Maligai,  
E.V.R. Road, Kilpauk, Chennai - 10.
- 2.The Joint Registrar of Cooperative Societies,  
Government Multipurpose Buildings,  
Collectorate, Theni.
- 3.The Deputy Registrar of Cooperative Societies,  
Land Development Bank Building,  
Uthamapalayam, Theni District.
- 4.The President,  
D.D.158, Bodinayakanur Agricultural  
Cooperative Society Limited,  
Prasad Complex, Near Town Police Station,  
Kamaraj Bazaar, Bodinayakanur,  
Theni District. ... Respondents in both WPs

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the first respondent to dispose of the revision petitions filed by the petitioners dated 06.10.2017 and 09.10.2017 respectively and to pay the arrears of salary, earned leave salary, retirement benefits including gratuity along with interest at the rate of 12% from the date of retirement till the date of actual payment.

For petitioners: Mr.S.Saravanan  
For R1 to R3 : Mr.L.P.Shanmugasundaram  
For R4 : Ms.S.Shamini

COMMON ORDER

The petitioners have filed these writ petitions seeking for a direction to the first respondent to dispose of their pending revision petition dated 06.10.2017 and 09.10.2017

respectively, whereby they sought for payment of arrears of salary, earned leave salary, retirement benefits including gratuity.

2. Since the facts involved in both the writ petitions are one and the same, they are disposed of by this common order. For better appreciation, short facts involved in W.P.No.33105 of 2017 are stated below:

The petitioner, after rendering 32 years of service, retired from service on 31.07.2012. After his retirement, he received only a sum of Rs.15,000/- towards gratuity without disbursing the balance amount of Rs.3,18,212/- and also other benefits towards earned leave and arrears of salary. Thereafter, although the petitioner has preferred a representation dated 06.10.2016, the same was not considered by the respondents, therefore, he filed a Writ Petition No.37539 of 2016, whereby, this Court, by order dated 07.09.2017, dismissed the writ petition with liberty to approach the competent authority under Section 153 of the Tamil nadu Cooperative Societies Act. Pursuant to the direction of this Court, the petitioner preferred a revision petition dated 09.10.2017 before the first respondent, but, the said revision petition till date has not been considered by the first respondent.

3. Therefore, at this juncture, learned counsel for the petitioners sought for a direction to the first respondent to dispose of the pending revision petitions of the petitioners.

4. Mr.L.P.Shanmughasundaran, learned counsel, by accepting notice for the respondents 1 to 3, seeks eight weeks time to pass orders on the pending revision petitions of the petitioners.

5. However, this Court, by considering the fact that the petitioners have retired from their services way back in the year 2013, directs the first respondent to pass appropriate orders on the pending revision petitions of the petitioners on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petitions are disposed of. No Costs.

Sd/-

Assistant Registrar(CS-Iv)

//True Copy//

Sub Assistant Registrar

rkm

To

- 1.The Registrar of Cooperative Societies,  
V.N.Natarajan Maligai,  
E.V.R. Road, Kilpauk,  
Chennai - 10.
- 2.The Joint Registrar of Cooperative Societies,  
Government Multipurpose Buildings,  
Collectorate,  
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- 3.The Deputy Registrar of Cooperative Societies,  
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Prasad Complex,  
Near Town Police Station,  
Kamaraj Bazaar, Bodinayakanur,  
Theni District.

+ 2 ccs to MR. S. Saravanan, Advocate Sr.90727  
+ 1 cc to MR. Government Pleader SR.91488

W.P.Nos.33104 and  
33105 of 2017

(Cs-IV)  
EU(11/01/2018)

सत्यमेव जयते

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